Township of Central Frontenac Official Plan

Third Draft – December 2020

Adopted by the Council of the Township of Central Frontenac: XXXX, 2021

Approved by the Council of the County of Frontenac: XXXX, 2021

(Note: this draft version includes yellow highlights indicating text changes made to this draft. Please refer to the staff report dated December 22nd, 2020 for more details)

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1

INTRODUCTION

Township of Central Frontenac

1 Introduction

1.1 Township Profile

The Township of Central Frontenac enjoys a unique character and quality of life that distinguishes the municipality from other rural areas in Ontario. The rural values, sense of place, unique landscapes, importance of water resources, and quality of life enjoyed by those who live in and who visit the community is integral to the municipality. The municipality is comprised of 1,025 square kilometers with a permanent population of 4,555 people that more than doubles in the summer due to seasonal residents and visitors attracted to the area.

The Township of Central Frontenac was incorporated on January 1, 1998, and is made up of four former Townships of Kennebec, Olden, Oso and Hinchinbrooke. The first Official Plan for the municipality was approved by the Ministry of Municipal Affairs on June 18, 2008. This version of the Plan provides an update to the community vision for future development in the area to the year 2045.

The Township of Central Frontenac has unique social and environmental conditions that require varied approaches to land development. The Township's Official Plan creates the objectives and policies for guiding land use changes by protecting and managing the natural environment, directing and influencing growth patterns and facilitating the vision of Council to develop a strong and diverse economy in the Township, and to ensure all aspects necessary for a healthy community are protected, managed and made available to existing and future residents.

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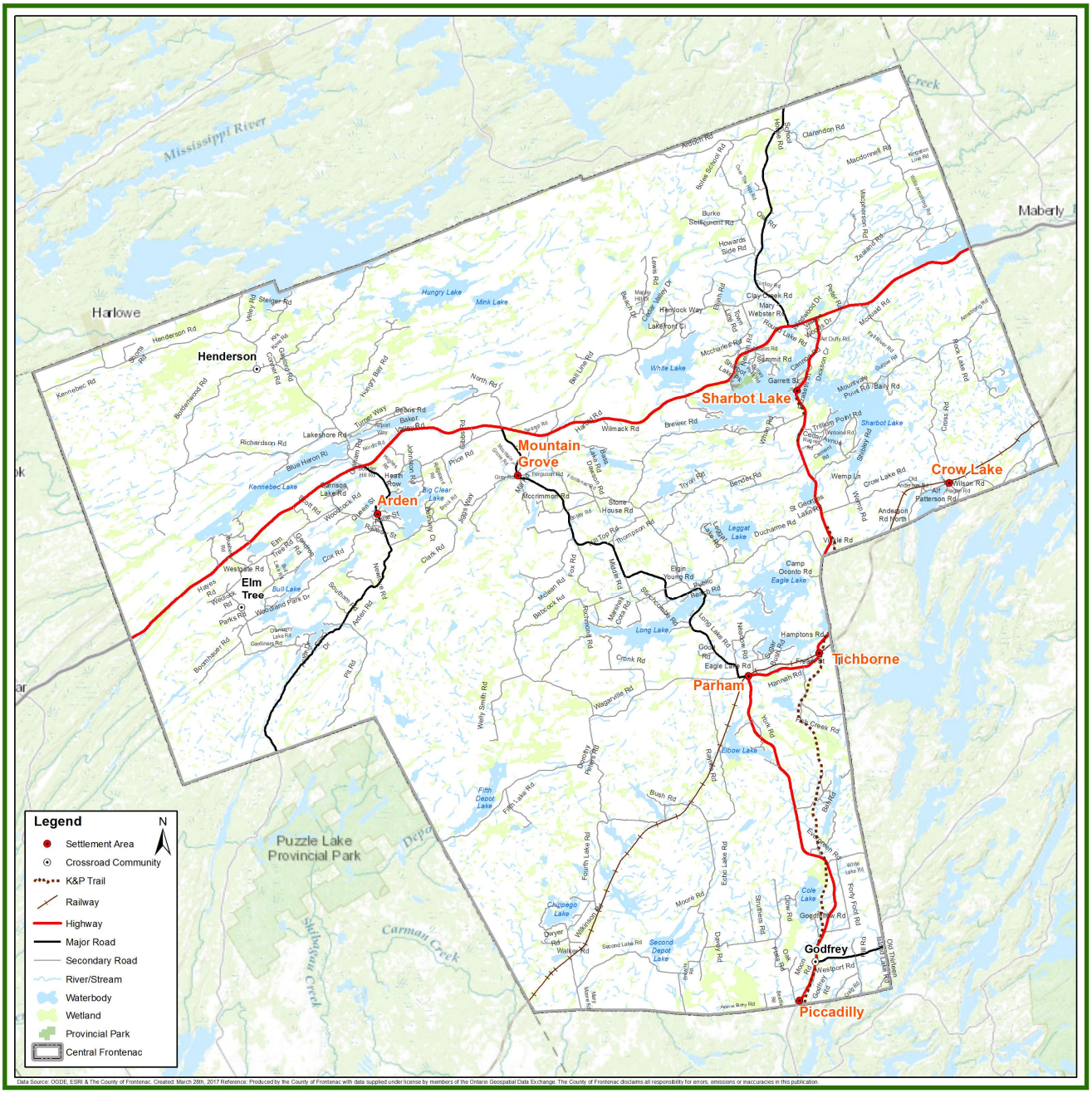

Figure 1. Map of the Township of Central Frontenac.

1.2 Administration of the Official Plan

Council will be responsible for administering this Official Plan. The principal duties of Council will be the review of development applications such as the Official Plan and Zoning By-law amendments, consents, minor variances and subdivisions for conformity to the Official Plan, and where appropriate, the review of the Official Plan to ensure that it remains relevant.

Council will ensure that the Official Plan and all amendments are available to the public so that citizens can be kept informed of the municipality's land use policies. The documents will also be available at the municipal office and the Township website.

While the Official Plan is intended to guide the future development of the Township to the year 2045, it is recognized that the Plan has been prepared on the basis of existing conditions and information available at the time of the Plan's preparation. An Official Plan should be viewed as a work in progress and it is intended that as conditions or priorities change, or as new information becomes available, there will be a need to review various policies from time to time. It is the intent of Council that a special meeting be held, which is open to the public, at any time prior to the end of the 10-year review period, pursuant to the *Planning Act*, to determine the need for review of the Plan.

1.3 Title and Components

This policy document shall be known as the "Township of Central Frontenac Official Plan" and is hereinafter referenced as the Official Plan or the Plan.

The Official Plan consists of the following text and Land Use Schedule, which make up the Land Use Plan. The Land Use Plan establishes the pattern of **development** in general terms by dividing the Township into basic land use designations in addition to the general policies that are applicable to **development** across the Township.

Terms used in this Plan are intended to address matters of provincial interest and the definitions of the Provincial Policy Statement. Other terms may also be defined that apply to the interpretation of this Plan and their application to **development** and planning applications.

Background statements, illustrations and any other information as set out in the appendices of this plan are provided for information purposes only and do not constitute a formal part of the Official Plan.

1.4 Interpretation

It is intended that the boundaries of the land use designations shown on the Land Use Schedule be considered as approximate. Boundaries are to be considered absolute only where clearly bounded by roads, railways, rivers or streams or other geographical barriers. Amendments to the Official Plan will not be required in order to make minor adjustments to the boundaries of land use designations or features or other symbols nor to the location of roads, provided that in all cases, the general intent of the Plan is preserved. Such minor deviations may not be reflected on the Land Use Schedules.

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It is intended that all figures and numerical quantities herein shall be considered as approximate unless otherwise stated. An amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures, provided that in all cases, the intent of the Plan is preserved.

Unless otherwise indicated in this Plan, it is intended that buildings, structures, uses etc. that are normally incidental, accessory or essential to a permitted use will also be allowed even though not specifically stated in the land use policies.

Where examples of permitted uses are provided for in the land use policies of this Plan, it is intended to indicate the possible range of uses considered appropriate and not to be interpreted as all-encompassing unless otherwise stated as such. However, all uses shall be in conformity with the general intent and policies of the general land use designations of this Plan.

Where an *Act* or portion of an *Act* is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may supersede the *Act* so named.

The indication of any proposed roads, infrastructure, and municipal services in the policy text or on the Land Use Schedule will not be interpreted as a commitment by the Township, nor outline specified timeframes.

1.5 Agency Names and Responsibilities

From time to time, the names of various government or other agencies may change. In addition, responsibilities may shift from agency to agency. This Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions or circumstances dictate.

1.6 Planning Period, Review and Amendments

The Planning Period for this Official Plan is intended to be approximately 25 years (2021-2046). The Plan will be subject to a review not less frequently than once every ten (10) years pursuant to Section 26 of the *Planning Act* and will be revised to ensure that the Plan conforms to Provincial policies and is consistent with the Provincial Policy Statement in effect at that time.

The review shall not be deemed to prevent any person or applicant from making an application under Section 22 of the *Planning Act* to amend the Plan. Applications for amendments to this Plan by the public or amendments initiated by Council will be considered in accordance with the requirements of the *Planning Act*. Applications submitted by the public must be complete and where required by this Plan, include studies or reports to determine the impact of the proposed change on the goals, objectives, and policies in this Plan, the Frontenac County Official Plan and the Provincial Policy Statement, the need for the proposed amendment, and the effect of the proposed amendment. The Township shall notify the public, County of Frontenac, and other agencies in accordance with the requirements of the *Planning Act.*

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Amendments will be required for a change in a land use designation shown on the Land Use Plan Schedules or for changes in the policy or text of the Plan. An amendment will not be required for typographic changes, numbering or formatting the Plan, provided there is no substantive change to the policies.

1.7 How to Use This Plan

Readers of this Plan are encouraged to begin their review at Section 2, which sets out the principles and vision for the future **development** of the Township. This will provide an understanding of the context for **development**. To determine how this Plan affects a specific property or area, the first step is to locate the parcel of land on the Land Use Schedule and to determine its land use designation(s). The specific land use policy/policies relating to the designation(s) should then be reviewed. It is important to also review the General Development Policies in Section 3, Land Use Policies in Section 4, Transportation Policies in Section 5, and Implementation Tools in Section 6 of this Plan, as they affect the property.

For the purposes of setting out the Official Plan policies in an organized, easily understood manner, this Plan has been divided into six (6) sections, as follows:

Section 1: Introduction
Section 2: Basis and Objectives of the Plan
Section 3: General Development Policies
Section 4: Community Development - Land Use
Section 5: Transportation
Section 6: The Tools of Implementation

For the convenience of the reader, all Federal and Provincial statutes referred to in this Plan are shown in italics.

1.8 Effect of the Official Plan

Upon adoption of the Official Plan by Township Council and approval by the County of Frontenac, the Plan will guide all planning decisions in the Township. No public or private works will be undertaken, and except as provided for in the *Planning Act*, no By-law will be passed for any purpose that does not conform to the Official Plan. The approved Official Plan will provide a basis for the review of the Township's Comprehensive Zoning By-law.

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2

BASIS OF THE OFFICIAL PLAN

Township of Central Frontenac

2 Basis of the Official Plan

2.1 Vision and Context

The community of Central Frontenac is located in Eastern Ontario in the heart of the Land O' Lakes Region and Frontenac County. It is the traditional territory of the Algonquin First Nations. Spread across more than a thousand square kilometres of unspoiled granite terrain, its rolling hills, winding roads, rippling waters, and rugged landscape characterize this rural area of Frontenac and fosters a traditional Canadian environment and lifestyle.

Sharbot Lake is the largest village in the Township and is located approximately 75 kilometres north of the City of Kingston and 120 kilometres west of the City of Ottawa with most of the village located just south of the intersection of Highway 7 and Road 38.

Beyond Sharbot Lake, Central Frontenac is home to a number of hamlets such as Arden, Mountain Grove, Parham, and Tichborne. In addition, there are residential crossroad communities including Piccadilly, Godfrey, Henderson, Elm Tree, and Crow Lake. The Township also includes scattered rural development along many of the backroads as well as extensive waterfront development along the hundreds of lakes and rivers.

Railway and railway history is an important part of the community which is represented in the Railway Heritage Park in Sharbot Lake. The former Kingston and Pembroke rail line runs through the area and has now been converted to the K&P Trail that extends southerly to the City of Kingston and Lake Ontario. The Township owns the remainder of the rail right-of-way from Sharbot Lake to the northern Township border which can allow for future extension of the trail. Policies within the Plan recognize the potential for Sharbot Lake to be recognized as a trail hub with connections to the Trans Canada Trail that runs east-west.

The rural physical environment of Central Frontenac facilitates a healthy lifestyle providing a myriad of recreational choices for individuals, including camping in Sharbot Lake Provincial Park or birding in the Kennebec Wilderness Trails.

Township Council adopted a Strategic Plan (2017-2020) that contains both a Vision Statement and a Mission Statement.

The Vision Statement of Central Frontenac Council is to support "a vibrant progressive community which will continue to provide a clean, friendly, natural environment that promotes a healthy active lifestyle, balanced with economic development opportunities to ensure financial viability".

The Mission Statement of Central Frontenac Council is "through efficient and effective leadership, Central Frontenac will continue to foster the development of a community in a customer-friendly, cost-efficient, creative and environmentally sensitive manner that provides

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opportunity for all to enjoy life, earn a living and pursue leisure activities".

Council also established six areas of focus that are intended to guide the implementation of the Strategic Plan: Asset Management; Waste Management; Good Governance and Effective Administration; Health, Recreation, Culture and Lifestyle; Infrastructure; and Protection and Health of Natural Environment.

This Official Plan will serve in part as a guiding document for Council's strategic planning priorities.

2.2 General

As a lower-tier municipality, the Township of Central Frontenac is subject to the policies of the Frontenac County Official Plan which was approved by the Ministry of Municipal Affairs in January, 2016. The policies of the County Plan are further implemented through the land use and development policies of this Official Plan. This Plan was written to conform to the County Official Plan, however, in reading this Plan there may also be a need to make reference to the County Plan.

The following fundamental elements form the basis of this Official Plan:

1. The 2020 Provincial Policy Statement is the basis for provincial interests reflected in the policies of this Plan as well as the procedures for the review of planning applications set out in the *Planning Act* and various Ontario Regulations enacted under the authority of the Act.

2. The County of Frontenac Official Plan is the basis for regional interests reflected in the policies of this Plan.

3. The rural character of the Township's physical features and environment is a key element which contributes to the current quality of life.

2.3 Objectives of the Plan

The following objectives reflect the general aspirations of the community and form the basis upon which the policies in this Plan are formulated. These objectives are not mutually exclusive but, rather, must be considered in relation to each other.

1. To promote efficient **development** patterns that optimize the use of land, resources and public investment, and to promote a strong liveable and healthy community that enhances social well-being and is economically and environmentally sound.

2. To develop a healthy diversified local economy, which provides for local employment opportunities and a balanced tax base between residential, commercial and industrial property classes.

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3. To provide for a diversity of active and passive recreation opportunities which reflect the range of lifestyle interests, ages, states of health and mobility of community residents.

4. To support and maintain a transportation system that promotes the safe and efficient movement of community residents, tourist traffic and goods, that minimize disruption to communities and the environment, that is integrated with the plans of other transportation authorities, and includes or encourages sustainable transit and active transportation.

5. To encourage development in locations where communal water and wastewater systems are feasible.

6. To provide for a variety of land uses which are appropriate and sustainable within a rural environment and to plan for new development which is sensitive to and preserves the unique features, recreational character and amenities of the community and natural environment.

7. To provide for a range of housing types and densities including the provision of affordable housing, which meet the existing, and future needs of a largely rural community, as well as an aging population.

8. To direct **development** away from lands with natural or human made hazards and/or physical limitations such as poor drainage, organic or contaminated soils, flood susceptibility, erosion or steep slopes.

9. To protect and enhance the water quality, shorelines, habitat areas and natural features of the many waterbodies located in the Township as they are a focal point of residential and recreational activity.

10. To encourage and foster sustainable forms of **development** and **alternative energy systems**, which conserve energy and water and provide for cost-effective delivery of municipal services, while being consistent with sustaining economic viability and environmental sensitivity.

11. To provide for a partnership approach with First Nations and Indigenous communities in the planning and development process including the use of and disposition of **Crown Land** within the Township.

12. To preserve or provide for the wise stewardship of renewable and non-renewable natural resources including plants, animals or ecological systems, while recognizing the rights of property owners, the Crown, and First Nations communities with management of these resources.

13. To provide for the identification and conservation of cultural heritage and **archaeological resources**.

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14. To ensure that **public service facilities** are adequate and have the capacity to support further growth and **development**. To provide for the ongoing maintenance, protection, and where necessary, the replacement of community facilities and to sustain existing **public service facilities**.

15. To encourage sustainable practices in the planning, design and **development** of the community through such measures as reducing energy consumption; conserve or restore **ecological functions;** conserving or promoting biodiversity; recycling, harvesting and conserving water resources including waste water; promoting the production and use of local products and local food production; reducing light and noise pollution; encouraging the recycling of building materials and the adaptive re-use of buildings; promoting the use of **environmentally friendly** building materials and building systems; conducting energy and lifecycle audits; and promoting adaptive technologies that reduce consumptive practices.

16. To administer this plan fairly and consistently in the review of planning applications and the application of the policies of this Plan and to be consistent with the Provincial Policy Statement and the County of Frontenac Official Plan.

17. To improve accessibility for all persons by identifying, preventing and removing land use barriers that restrict full participation in society.

18. To consider climate change adaptation and mitigation through land use and development patterns, stormwater management, and decisions relating to infrastructure development.

19. To reinforce that economic activity is an important factor affecting land use patterns by strengthening the economic base by building on the assets that the pristine area has to offer.

20. To recognize that the village of Sharbot Lake and the intersection of Highway 7 and Road 38 be considered a special policy area and that over the timeline of this Plan the Township will work to make the area a destination for travelers and tourists, including leading efforts to make the lands around this intersection more pedestrian friendly.

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3

GENERAL DEVELOPMENT POLICIES

Township of Central Frontenac

3 General Development Policies

3.1 General

All **development** shall take place in accordance with the **General Development Policies**, where they are relevant, in addition to the policies for specific land use designations.

3.2 Accessory Uses

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. Permitted accessory uses shall be identified and provisions provided in the implementing zoning by-law.

3.3 Buffering and Land Use Conflicts

Where land uses may create a land use conflict or are incompatible with each other or may potentially lead to **adverse effects**, buffering may be required. Appropriate buffers shall be identified in the implementing zoning by-law and may further be imposed through planning applications. The intent of this Plan is to require that matters of land use incompatibility be addressed in the review of all planning applications and that buffering and/or mitigation is undertaken wherever required to avoid land use conflicts. Buffering may consist of a physical structure, a separation distance, and an intervening land use that is different from the conflicting land uses but compatible with both, or any combination of these measures.

3.4 Climate Change

The climate in Frontenac is changing. Within the next 20 years climate change modelling predicts that the Central Frontenac area will experience hotter, drier summers with more heat waves and more intense rainfall events, and warmer, milder winters with more freeze-thaw cycles. These climactic changes will likely result in significant changes to the natural environment. The Township should consider climate change impacts when reviewing future development or redevelopment applications, creation of infrastructure, and the planning of improvements and enhancements to public spaces.

Council recognizes that the effects of climate change could alter how land is used in Central Frontenac over the time period of this Plan. The impacts of climate change include:

- Changes in warm weather growing seasons;
- Unpredictable water levels in rivers and lakes and groundwater during droughts or floods;
- Greater stress on public infrastructure from extreme weather events;
- Heat stress and flooding impacts on vulnerable people; and

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- Increased demand on emergency services and impacts on tourism and recreation.

Integrating climate change considerations into planning by protecting natural systems such as wetlands and their support systems (groundwater source areas) will reduce the effects of drought and extreme weather events, improve resilience, and protect carbon sequestration potential.

Climate change can in part be mitigated by promoting active transportation and by focusing growth and development in areas where active or public transportation is accessible or planned. The Township will consider prioritizing sustainable transit, by providing infrastructure, regulations, safety measures, and funding to benefit from favourable climatic conditions and that will have a positive impact on climate change.

3.5 Cultural Heritage and Archeological Resources

3.5.1. Introduction

The intent of this Plan is to conserve **built heritage resources**, **cultural heritage landscapes** and **archaeological resources.** Council recognizes the importance of recognition and preservation of the **built heritage** and **archaeological resources** and **cultural heritage landscapes (including First Nation)** as a method of informing and guiding development in a way that is respectful.

3.5.2. Policy

It is a policy of Council to consider **built heritage resources**, **cultural heritage landscapes** and **archaeological resources** in land use planning decisions. Cultural heritage and archaeology resources referred to in this Plan include, but are not restricted to, significant **archaeological resources** or **areas of archaeological potential**, significant **built heritage resources**, and significant **cultural heritage landscapes**. To implement this policy, Council shall:

1. Provide for the identification, restoration, protection, maintenance and enhancement of significant **archaeological resources** or **areas of archaeological potential**, significant **built heritage resources**, and significant **cultural heritage landscapes** of local, Provincial or Federal heritage value. This may be achieved through a co-operative and co-coordinated approach with senior level governments (e.g., sharing of data bases, designations, and joint funding and conservation initiatives).

2. Consider ways and means in which Council may co-operate in the conservation and/or preservation of cultural heritage resources, including utilization of the *Ontario Heritage Act* in the following ways:

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(i) Council may designate, by by-law, properties, heritage conservation districts and areas having historic and architectural value or interest in the Planning Area under Parts IV and V of the *Ontario Heritage Act*.

(ii) Council may develop a Municipal register of cultural heritage and **archaeological resources** in the Planning Area or assist other organizations and work with the Ministry of Culture in developing, sharing and maintaining an inventory.

(iii) Council shall require that in any proposed Plan of Subdivision and prior to the undertaking of any public work, private **development**, planning application, consideration be given to the possible effects and impacts of such works or development on cultural heritage and archaeological resources and those impacts, where identified, are appropriately mitigated.

(iv) Council shall require an archaeological impact assessment carried out by an archeologist licensed under the *Ontario Heritage Act*, when any public work, private development, planning application will affect an area containing a known archaeological site or cemetery or an area considered to have archaeological potential or is within 250 metres (820 feet) of a Provincially registered or known archeological site or cultural heritage feature. Council shall contact the appropriate government agencies, including the Ministry of Tourism, Culture and Sport, and the OPP when an unmarked human burial site or new archaeological site(s) is discovered and the provisions under the *Ontario Heritage Act* and *Cemeteries Act* shall apply. First Nations will also be engaged. ~~where appropriate~~.

The Algonquin Traditional Territory is composed of a diversity of indigenous cultural landscapes. An Indigenous cultural landscape is a living landscape that indigenous people value because of their enduring relationship with that place and its continuing importance to their cultural identity. For the Algonquins, Traditional Environmental Knowledge (TEK), an intimate knowledge of an area's landforms, plants and animals, is reflected in an indigenous cultural landscape. Many archaeological sites within the Algonquin Traditional Territory are small and contain a minimal amount of archaeological material, and these materials may be of great significance to the Algonquins of Ontario (AOO).

For thousands of years the Algonquin Traditional Territory was characterized by glacial lakes and/or inland seas, resulting in high water levels that have left a sequence of paleo-shorelines and associated archaeological sites often far inland from modern shorelines that are the familiar focus of many archaeologists. The archaeological 'visibility' of sites on relic shorelines and fossil islands in the Algonquin Traditional Territory is further affected by the use of local stone for tools, a technology which may be unfamiliar to archaeologists but visible to Algonquins.

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The AOO regards all cultural heritage sites – from sacred burials to everyday stone tool workshop sites – to be of importance and worthy of investigation and protection. Effective and successful engagement with the AOO is based on early notification. Specific to archaeology this includes the notifications of the intention to complete Stage 1 through Stage 4, the review of these draft reports, as well as the participation of Algonquin Liaisons during Stages 2 through Stage 4, and possibly Stage 1 if a site visit is planned.

(v) Council may consider, where appropriate, the passing of archaeological zoning by-laws under Section 34 of the *Planning Act*, to be adopted for the purpose of preserving identified **significant** archeological sites.

(vi) **Development** and **site alteration** shall only be permitted on lands containing **archaeological resources** or **areas of archaeological potential** if the significant **archaeological resources** have been **conserved** by removal and documentation, or by preservation in situ. Where significant **archaeological resources** must be preserved on site, only **development** and **site alteration** which maintain the heritage integrity of the site may be permitted.

(vii) Council may require the preparation of a Heritage Impact Statement conducted by a qualified Heritage Consultant prior to **development** and **site alteration** on **adjacent lands** to protected heritage property or **cultural heritage landscapes**, or where the proposed **development** has the potential to impact **built heritage resources** or cultural **heritage** landscapes, to demonstrate that the **heritage attributes** of the **protected heritage property** will be **conserved**. Mitigative measures and/or alternative development approaches may be required in order to conserve the **heritage attributes** of the **protected heritage** property affected by the adjacent development or **site alteration.**

3. In all land use designations, it is the intent of Council that appropriate care be taken to preserve mature trees and other vegetation of heritage significance and/or scenic value (i.e. a cultural landscape). Existing landmark trees and tree and hedge lines should be an essential consideration in the design of any **development**. The preservation of trees along streets and roads shall be encouraged by Council, except where removal is necessary because of disease, damage or to ensure public health and safety.

3.5.3. Algonquin Aboriginal Interests

This Plan recognizes that lands within the boundaries of the Township lie within the historic Algonquin Territory that is part of the Treaty Negotiations with the Federal and Provincial Crowns. An Agreement-in-Principle (AIP) was signed by the Federal and Provincial Governments and the Algonquin Nation in October, 2016. As such, this Plan will respond to direction from the Federal and Provincial Crowns and the Algonquins towards the implementation of the AIP on any Official Plan requirements that arise. Council will seek opportunities for mutually beneficial engagement with the Algonquins on matters that affect Aboriginal history and culture.

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The Township may engage with the Algonquins of Ontario with regard to land use planning affecting any of the following matters within the land claim area:

- Protection of water quality and utilization of lakes and rivers;
- Any development that would have an impact on navigable waterways and their waterbeds;
- Any archaeological studies and/or environmental impact study related to proposed development where areas of Algonquin interest have been identified.

The Algonquins of Ontario have been involved in the preparation of this Plan and provided comments in June, 2020. The following is a list of statements and positions expressed in part in the comments:

- **Partnership Approach - The Algonquins of Ontario support the Township's intent to develop a partnership approach with First Nations and Indigenous Communities including the use of Crown land within the Township.**
- **Stewardship -- The Algonquins of Ontario support the Township efforts to preserve and provide for wise stewardship of plants, animals, and ecological systems.**
- **Economic Development - The Algonquins of Ontario support the intention of the Township to coordinate economic development planning and projects with First Nation Communities and will participate fully in the development of protocols for consultation on these matters.**
- **Forestry - The Algonquins of Ontario recognize the importance of the forest resources in the Township and share the intent to support forest stewardship techniques.**
- **Sharbot Lake - The Algonquins of Ontario concur that Sharbot Lake has the potential to become a major attraction for tourists and that a strong sense of place is required at the entrance to the village, on the waterfront, and at the Highway 7/38 intersection.**
- **Highway 7 Parkway Concept -- The Algonquins of Ontario share the Township's concern with the negative implications of potential future reconstruction of Highway 7 as a 400 series highway and prefer and support a 'parkway' concept.**
- **Waterfront - The Algonquins of Ontario agree that any new development must be considered in the light of its impact on the environmental quality of any lake or**

river, and support a cautious approach to development in order.

- **Water – Water in all its forms is considered by the Algonquins to be the lifeblood of Mother Earth.**

- **Natural Features -- The Algonquins of Ontario support the provisions of this Plan with regard to the protection of wetlands, wildlife habitat, fish habitat, and endangered and threatened species.**

- **Trails - The Algonquins of Ontario support the development of a recreational trail system throughout the Township.**

3.6 Existing Non-Conforming and Non-Complying Buildings, Structures and Uses

The Township recognizes that there are a number of existing land uses in the Township which are legally non-conforming or non-complying. Nothing in this Plan shall affect the continuance and use of buildings and structures on properties where such building, structure or use was legally established under the provisions of any zoning by-law in force on the date of approval of this Plan. This Plan is not intended necessarily to prevent the continuation, expansion, or enlargement of buildings, structures, and uses which do not conform to the designations and provisions of this Plan.

3.6.1 Legal Non-Complying Buildings, Structures and Uses

A legal non-complying building, structure or use is one which is included in the permitted uses for the zone in which the use is located, pursuant to the zoning by-law that implements this Plan, but which does not meet one or more performance standards of the zone such as those relating to yards or waterbody setback. It is the intent of Council that:

1. Non-complying structures shall be allowed to continue or to be replaced in their current location, at their current size (volume, footprint and height), if required;
2. Maximizing compliance shall be encouraged in the rebuilding of non-complying structures; and
3. That the rebuilding and expansion of non-complying structures shall meet the provisions set out in the implementing bylaw or seek the appropriate planning approvals.

The Township may establish criteria by by-law under Section 45 (1.0.1) of the *Planning Act* by which a minor variance application for the expansion, enlargement, or reconstruction of a structure shall conform with.

3.6.2 Legal Non-Conforming Building, Structures and Uses

A legal non-conforming land use is a use which is not included as a permitted use for the land use designation in which the use is located, but which was legally established as of the date that this Plan was adopted. It is not the intent of this Plan to prevent the continuation of uses

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which do not conform to the designations and provisions of this Plan that were legally permitted.

It may be desirable to permit the extension or enlargement, replacement or change of use of a non-conforming building, structure or use to a similar or more compatible use. Applications for changes to non-conforming uses or limited enlargements or extensions to such uses shall only be considered where the use was: legally established prior to the adoption of the zoning by-law which rendered it non-conforming; continuous in nature since the use was established; and, located on lands owned and used in connection with the use on the day the zoning by-law was passed. An extension or enlargement, replacement or change of use of a non-conforming building, structure or use may be permitted subject to the provisions of the *Planning Act* and to the following planning principles:

1. The proposed extension, enlargement, replacement, or change of use shall not aggravate the non-conforming/non-complying situation or the enjoyment of neighbouring uses;

2. The proposed extension, enlargement, replacement or change of use shall not further reduce the requirements of the implementing zoning by-law;

3. The proposed extension, enlargement, replacement, or change of use shall not create adverse effects, undue noise, vibration, fumes, smoke, dust, odours, glare from lights, environmental hazards or other public health or safety concerns;

4. Appropriate buffering or screening techniques are used to mitigate the impacts of development on neighbouring properties;

5. Appropriate controls are imposed on lighting, outside storage, signage, waste storage and disposal, etc.;

6. Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections with other roads;

7. Adequate provisions have been or will be made for off-street parking and loading facilities where they apply; and

8. Infrastructure and public services such as roads, waste disposal, school bussing, fire protection etc. is adequate or can be made adequate at a reasonable cost to the Township.

9. When proposed extension, enlargement, replacement, or change of use may have an impact on, or be impacted by, a natural heritage feature, the Township may refer to the appropriate agency for comment and may require the submission of an environmental impact assessment.

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The Owner is responsible for providing evidence in support of legal non-conforming use claims. In all cases, the purpose of the evidence is to establish: the date from which the use was in place; the specific nature of the activity(ies); and the location, size, and use of all buildings and structures associated with use.

3.7 Group Homes

Council recognizes the varied needs of individuals that can be met by providing for group homes. Accordingly, group homes shall be permitted in all land use designations that permit residential uses in the municipality.

Group homes are generally defined as for the accommodation of 3 to 10 residents, excluding supervisory or operating staff, who live in a single housekeeping unit under responsible supervision consistent with the requirements of its residents for a group living arrangement and residences licensed or funded under a federal or provincial statute.

A group home shall be licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. Once an implementing zoning by-law is in effect, the Township may pass a by-law pursuant to Section 163 of the *Municipal Act* requiring the licensing of group homes within Central Frontenac.

3.8 Home Based Businesses and Live/Work Units

Changing patterns of employment in recent years together with improvements in rural cellular/broadband technology means that people often can work and operate a business without the need to commute to employment some distance away. Council recognizes that home based businesses and live/work units are important components of the economic base of the community and can act as the genesis of job creation and the provision of goods and services to local and regional markets.

Home based businesses and live/work units allow for people to work from home and therefore can be considered a sustainable form of development. These businesses can serve as one of the key components of a healthy rural economy. Home based businesses and live/work units shall be encouraged as a means of providing local services, providing an incubator for new businesses and as a means to providing more specialized services to a broader clientele.

3.8.1 Home Based Business

A home based business is defined as a privately operated legal business located within a residential dwelling or an accessory building and which is compatible with the character of a residential setting and is an accessory use or clearly secondary to the principal use. Home based businesses are permitted within the Waterfront Area, Settlement Area and Rural Area designations of this Plan. Home based businesses shall generally be permitted as an accessory use in conjunction with residential development provided they do not create a public nuisance and are compatible with surrounding uses. The implementing zoning by-law shall contain provisions for home based businesses.

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3.8.2 Live/Work Units

In order to promote affordable housing and small business, the Township supports the creation of live/work units. Live/work units are defined as small-scale developments which include both residential and business floor space. Specifically, these units are designed primarily for employment purposes but also include residential space connected to the employment premises. Live/work units shall be permitted in the Rural Area designation of this Plan and shall permit a larger floor space to be designated to business floor space. The uses permitted within live/work units shall include uses permitted in a home based business as well as business appropriate for the rural area as set out in the implementing bylaw. Only one live/work units shall be permitted per lot and shall not be permitted in conjunction with a home based business.

Township Council recognizes that the 2014 Provincial Policy Statement 2014 directs new growth to settlement areas. However, new live/work units in the Rural Area will also provide for new employment opportunities to meet the needs of the rural economy and support existing community services.

There are two main policy directions for live/work units:

1. Conversion of Buildings to Live/Work Units:

    a. The Township supports the re-use of traditional rural buildings for live/work units. The conversion of rural buildings to live/work units allow the retention of rural buildings while at the same time reducing the need to travel long distances for employment purposes;

    b. The Township shall encourage the maintenance of the building character that is important to the local community with the conversion of existing building stock;

    c. The Township shall encourage the employment use to be designed so that is can be used independently of the residential use (so that employment potential is not restricted only to the occupants of the residential space); and

    d. Council may require site plan control approval to ensure the functional use of the property as a commercial/residential use.

2. Creation of New Live/Work Units

    a. The Township supports the creation of new live/work units in the Rural Area;

    b. The Township shall encourage the scale and type of building to be appropriate to the surrounding area; and

    c. Council may require site plan control approval to ensure the functional use of the property as a commercial/residential use.

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3.9 Food Vehicles

Food vehicles shall be permitted to operate in Settlement Area designation and along arterial roads and provincial highways within the Rural Area and Waterfront Area. Food vehicles may also be permitted on Township property with the appropriate approvals.

The implementing zoning by-law shall establish regulations to control land use and locations where food vehicles can be permitted and provisions for their placement.

The Township shall consider adopting a Licensing By-law that will be responsible for regulating the location of food vehicles on Township property and the licensing of all food vehicles in the Township.

Council may consider the use of site plan control to illustrate requirements for parking, signage, garbage bins, and other site activities.

3.10 Lots of Record

Lots of record are legally created parcels or tracts of land that can legally be conveyed without *Planning Act* approvals. For the purposes of this Plan, these are deemed to include lots in a registered plan of subdivision, parcels created by consent (in accordance with the *Planning Act*), and/or any other distinct and separate holding, the deed to which is registered in the Land Registry Office.

Lots of record which are vacant and which existed on the date of adoption of this Plan may be used for building purposes, provided that, prior to a building permit being issued, the Township is satisfied that:

1. The lot upon which such building or structure is to be erected has frontage on and direct access to a public street, a private lane of which the owner has legal deeded access, a Township Road Allowance (subject to an agreement with the Township), or right-of-way/easement as per the requirements of the respective zone in which the lot is situated. Notwithstanding the foregoing, for any permitted use on an island or water access lot, no parking is require on the principal lot provided that a public or private access point and adequate parking is available on the main land;

2. Sewage disposal facilities and potable water can be provided;

3. The lot meets the standards of the Township Zoning By-law for the use proposed; and

4. The lot meets the absolute minimum lot size and frontage for the zone the lot is located within if established within the implementing zoning by-law.

3.11 Natural and Human-Made Hazards

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In accordance with the **2020** Provincial Policy Statement, development shall be directed away from areas of natural and human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards. It is the intent of the Township to prohibit development that may represent a risk to health and safety.

Development shall be directed away from lands or areas which are hazardous or susceptible to hazards. In some circumstances, the scope or extent of a hazard may not be known. Where a proposal includes a suspected hazard or if the extent of a known hazard has not been confirmed, Council must be satisfied that the development will not be affected. The development proposal should be designed to avoid the hazard or engineered to withstand the hazard where permitted. Council may require supporting technical studies prepared by a qualified individual demonstrating no impact.

In exceptional circumstances, certain types of development may be permitted on hazardous lands or sites where measures are undertaken to safeguard such development and the environment from the impacts of such hazards and from the creation of new hazards.

Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.

3.11.1 Natural Hazards

Natural hazards which are known to be present in the Township include flooding and erosion, unstable soils and bedrock, and wildland fire hazards. These hazards represent risks to public health and safety and property damage, and may be exacerbated by extreme weather events and/or the results of climate change. The Township will work closely with the Conservation Authorities in the identification of natural hazards. **The Township shall also prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.**

A. Erosion Hazards and Steep Slopes

The Provincial Policy Statement directs development away from areas that may be identified as erosion hazards. The extent of erosion hazards are generally determined based on a combination of factors including a slope stability allowance, an erosion allowance, and an access allowance. These allowances vary according to site specific characteristics (i.e. slope height and characteristics). Detailed geotechnical analysis may also determine the extent of an erosion hazard at the site-specific scale.

Lands within and adjacent to lands subject to steep slopes and erosion hazards are subject to a Regulation made pursuant to Section 28 of the Conservation Authorities Act, which is administered by the Conservation Authority. While these lands and

adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no site alteration such as filling, grading, and excavating shall occur without the written permission of the Conservation Authority in accordance with this Regulation.

Development and **site alteration** on lands subject to erosion hazards is prohibited, except for those uses that by their nature must be located within the erosion hazard, such as flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and boathouses, subject to approval by the Township and the applicable Conservation Authority. Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities will be permitted, provided that no associated buildings or structures are located in the erosion hazard.

Applications for development and site alteration on a portion of a site where the applicable stable slope and erosion allowances are not met shall require the submission of a geotechnical report prepared by a qualified professional to ensure that the property is suitable for development to the satisfaction of the Conservation Authority.

B. Flooding

Development and **site alteration** in the regulatory flood plain is prohibited; where the regulatory flood plan is not identified the Township shall consult the Conservation Authority having jurisdiction to identify the appropriate setback.

Except for those uses that by their nature must be located within the regulatory flood plain, such as flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and boathouses, subject to approval by the Township and the Conservation Authority, no buildings or structures shall be located within the flood plain. Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities will be permitted, provided that no associated buildings or structures are located in the flood plain.

It is the intent of the Waterfront Area policies to require a 30 metre setback from the highwater mark of a waterbody or watercourse for all development. A reduction of the waterbody/watercourse setback shall consider the impact of flooding on the **development**.

On existing lots of record, **development** and **site alteration** shall be permitted on the lands within the regulatory flood plain where the effects and risk to public safety are minor and can be mitigated in accordance with provincial standards to the satisfaction of the Township and Conservation Authority.

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C. Organic Soils

Development shall be directed away from lands identified on the Land Use Schedule as organic soils or on any lands found to contain organic soils. Organic soils are normally formed in a water saturated environment (e.g. wetland) where the soil is not exposed to the air for enough time to permit the breakdown of vegetative material. These soils do not contain sufficient strength to support a building or structure.

Development may be permitted where it has been demonstrated by a qualified professional that acceptable engineering techniques can be used and safe access provided to the satisfaction of the Township and Conservation Authority. No amendment to this Plan or the implementing zoning bylaw is required to permit development within organic soils if engineering techniques and mitigative measures are proposed to the satisfaction of the Township and Conservation Authority.

Where the boundary of organic soils identified has been identified as inaccurate by the Conservation Authority having jurisdiction, no study will be required, provided all other policies of this Plan are met.

D. Wildland Fires

The Ministry of Natural Resources and Forestry has identified areas that have potential for wildland fire. Development will generally be directed to areas outside lands identified as a high to extreme risk for wildland fire, unless the risk can be mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Province.

Proponents of development applications may be required to assess areas on the subject lands and adjacent properties which would pose a high to extreme risk for wildland fire. A wildland fire assessment must provide a site-specific assessment for wildland fire risk, confirm the presence of a hazardous forest type, and include proposed mitigation measures, if required.

3.11.2 Human-Made Hazards

A. Contaminated Sites, Site Decommissioning and Clean-up

Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility, mining or similar uses. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, lands associated with rail operations, maintenance activities and spills. Some commercial uses such as gasoline stations, automotive repair garages, and salvage yards have a similar potential.

It is a policy to ensure the proper decommissioning and clean-up of contaminated sites prior to their **redevelopment** or reuse. Measures to be taken by Council and/or the approval authority and the proponent include the following:

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1. Applications for the **development** or **redevelopment** of sites that are identified as being contaminated or potentially contaminated shall require a Phase I Environmental Site Assessment (ESA) and a Phase II ESA should be completed if required. Clean-up of contaminated sites should be done in accordance with the Record of Site Condition Regulation (O. Reg. 153/04) and Ministry of the Environment, Conservation and Parks guidelines.

2. Where the Record of Site Condition indicates that remediation work is necessary, the approval authority shall require as a condition of approval of **development** or **redevelopment** that appropriate action is taken to implement the components of the site remediation plan.

3. Contaminated sites may be placed in a holding zone in the implementing zoning by-law. Where a holding zone is used, the "H" may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Township and in accordance with a site remediation plan and subject further, to the submission to the Municipality of a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition. No building permit shall be issued prior to the lifting of the holding symbol.

B. Abandoned Mines

Development on, abutting or adjacent to lands affected by **mine hazards** may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed. The Ministry of Energy, Northern Development and Mines maintained the Abandoned Mines Inventory System (AMIS) which contains information relating to potential mine sites. Abandoned mines are illustrated on the Land Use Schedule and represent the approximate location of known mine hazards.

The Township shall require that an applicant consult with the Ministry for any development within 1 km of an identified abandoned mine site identified on the Land Use Schedule and to undertake any remediation measures as legislated under the *Mining Act*. **Development** on, abutting or adjacent lands shall be permitted if measures to address and mitigate known or suspected hazards are underway or have been completed to the satisfaction of the Township and Province. A study completed to permit development shall identify healthy and safety concerns, identify rehabilitation measures and identify required mitigation measures.

Where the Ministry has provided to the Township that the Abandoned Mine Site does not pose a threat to public health and safety as per the **development** proposed, the Township shall not require a study to be undertaken or an amendment to this Plan, provided all other policies in this Plan are met.

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3.12 Noise and Vibration

Feasibility and/or noise/vibration studies using Ministry of the Environment, Conservation and Parks guidelines may be required for applications for **development** of a sensitive land use within 100 metres (328 feet) of Highway 7 and shall be prepared by a qualified consultant and to the satisfaction of the Municipality. The study shall demonstrate whether noise and vibration levels can be reduced to meet Provincial standards. The conclusions and recommendations of this study shall be implemented through conditions of the development approval. The applicant shall consult with the Ministry of the Environment, Conservation and Parks as well as the Ministry of Transportation to determine if a study is required.

Feasibility and/or noise/vibration studies may be required for development within the influence area of a stationary noise source (i.e. industry, electrical generating station, hydro transformer, etc.) Such studies shall be prepared by a qualified consultant in accordance with Ministry of the Environment, Conservation and Parks Guidelines and shall demonstrate whether noise and vibration levels can be reduced to meet Provincial standards. The conclusions and recommendations of these studies shall be implemented through conditions of the development approval. The applicant shall consult with the Ministry of the Environment, Conservation and Parks to determine if a study is required.

These policies do not apply to development on existing lots or record or extension to existing building or structures.

3.13 Public Utilities and Communications Facilities Corridors

The sustainability, health and safety of Central Frontenac residents and its economy is closely linked to the hydroelectric corridors and utility networks. These facilities and corridors include a wide variety of utilities that are owned and operated by both public and private entities, including broadband and fibre optic networks. Also, the Waterfront Area may be serviced by underwater utilities.

3.14 Second Units

Second units are self-contained residential units with a private kitchen, bathroom facilities and sleeping areas within dwellings or within structures ancillary to a dwelling. Second units increase the supply and range of affordable rental accommodation. It is a policy of Council that second units shall be permitted in the Rural Area and Settlement Area in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit and in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit provided that:

- The subject property has frontage on and direct access to an improved road or right-of-way;
- The subject property is a complying lot and the structure complies with all applicable provisions of the zoning by-law;
- Only one secondary dwelling unit is permitted on a lot;

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- The secondary dwelling unit shall not be larger than the principal dwelling unit and is limited to ensure the goal of affordable housing is met;
- It is demonstrated that there is adequate water and sewer capacity to accommodate the second unit;
- The secondary dwelling unit shall be designed and located in such a manner to avoid impacts on the residential character of the principal dwelling unit and surrounding neighbourhood; and
- In the Rural Area, detached secondary dwelling units shall be in proximity to the principal dwelling unit and shall use the same driveway.

No additional parking space is required for a secondary dwelling unit, and tandem parking in the existing driveway for the principal dwelling unit is permitted. Where a new parking space is provided, it must meet the requirements of the zoning by-law.

The Province recognizes that there may be circumstances where second units may not be appropriate given other planning considerations and policies, particularly relating to health and safety or the natural environment. Second units shall not be permitted in the Waterfront Area in the Township of Central Frontenac.

3.15 Subdivision of Land

Land **development** shall generally take place by consent for small scale development or Plan of Subdivision or Condominium for large scale developments.

3.15.1 Consents

Consents shall be the method of land division where the Municipality is satisfied that a Plan of Subdivision or Condominium is not considered necessary for proper development. A consent to convey land may be granted provided the following policies, any other relevant policies including the General Development Policies and Land Use Policies, and that the provisions of the Planning Act are adhered to.

1. The proposed use of the severed lot shall be a use permitted in the underlying land use designation.

2. The lot(s) to be severed and to be retained must meet the requirements of the Zoning By-law. The applicant will be required to demonstrate that there is a sufficient land area suitable for a building envelope on a proposed lot that is outside of natural or human-made hazards, outside of the required 30 metre setback from the water and all yard setbacks and influence areas required, and outside of an easement or any part of a private lane or right-of-way. In determining compliance with the zoning by-law, areas which are not useable on a lot may be excluded for the purposes of calculating the minimum required lot area or a required setback.

3. The consent process is intended to be used for lot line adjustments, easements and similar administrative purposes, or for the creation of limited new lots as follows:

    - A maximum of two (2) new lots (2 new lots, plus a retained lot) may be created by consent from a land holding as it existed on June 2, 2008 in the Rural Area and Waterfront Area.

    - A maximum of three (3) new lots (3 new lots, plus a retained lot) may be created by consent from a land holding as it existed on June 2, 2008 in the Settlement Area.

4. Not more than one (1) new lot and one (1) retained lot shall result from one consent application for severance. If more than one (1) new lot is created, an additional application shall be required.

5. An adequate quantity of potable water and sewage capacity shall be demonstrated to be available for each new lot. Applicants shall provide sufficient technical information to demonstrate this to the satisfaction of the applicable review agency.

6. The lot shall have frontage on and direct access to a year round maintained public road unless otherwise exempted as follows:

    - A lot may be created which will have frontage on a Township maintained seasonal road or a registered right-of-way or private lane which connects to a Township maintained year round or seasonally maintained road;

    - Severances for lots with water access only may be granted for residential dwellings provided there are adequate docking facilities, accessible, legal access, and provided parking facilities are available and secured through a deed or legal instrument acceptable to the Municipality, and are on the same waterbody. Lands may be zoned to include the lot and the parking in the same zone;

    - Lots for non-habitable buildings or structures associated with forestry, mining, **mineral aggregate operations** and telecommunications may be accessed by private roads;

7. Where the lot proposed fronts on a Provincial highway (e.g., Highway 7), prior approval must be obtained for access from the Ministry of Transportation.

8. Where the Township or Ministry has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval. The applicant must receive approval from the Municipality for the location and installation requirements for an entrance and/or culvert for access onto any public road;

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9. The access or entrance to any lot shall not create a traffic hazard (e.g. on a curve or a hill where a driver's sight line is blocked or impaired). To improve the safety of roads in the area, sight distances should be maintained on corner lots;

10. Consents will not be granted which have the effect of limiting access to back lands for future **development** or which have the effect of creating land locked parcels for either the severed or retained lot;

11. Consents shall not be granted in areas where the undue extension of municipal services would be required (e.g. extension of a public road or school bus route);

12. Consents shall not be granted for the creation of a new lot on a waterbody where the lake has reached its development capacity and no residual capacity exists for that waterbody unless it has been demonstrated that the policies in Section 4.8.8 (Lake Trout Lakes) have been met.

13. Consents may not be granted which would interfere with a future public facility such as a park, road, source of water or similar facility;

14. Consents for non-residential uses (industrial, commercial, institutional uses) shall be appropriately located and comply with other policies of this Plan. Non-residential uses more appropriate to a rural setting should be directed to a location outside of the Settlement Area;

15. Consents in any built-up areas shall be proportioned to appropriately fit within the lotting pattern;

16. Despite the criteria outlined in '1' to '15' above, consents may be granted for the following purposes:

    - To correct lot boundaries;
    - To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being or will be used, or the land to be retained;
    - To clarify title to the land; and
    - To permit an easement.

17. Supporting studies or additional information may be required to determine whether a consent application will comply with the policies of this Plan. Such studies or further information may include, but are not limited to any of the following:
    - Archaeological Assessment or Heritage Impact Statement;
    - Environmental Impact Assessment/mitigation measures for natural heritage features, including potential slope and soil hazards;
    - Flood proofing measures;
    - Hydrogeological and Terrain Analysis Report;

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- Lake Capacity calculation;
- Minimum Distance Separation Formula calculation;
- Mitigation of industrial impacts;
- Mitigation of waste disposal impacts;
- Noise or acoustical study;
- Plan/measures for rehabilitation of mine hazards/assessment of mineral potential;
- Record of Site Condition (contaminated sites);
- Servicing Report (water and wastewater);
- Storm Water Management Report/Master Drainage Plan;
- Verification of non-impact for below ground water aggregate operations – Groundwater Impact Study;

18. Conditions may be imposed by Council in the granting of severances, which may include but not be limited to the following:

    - A Zoning Amendment under the Zoning By-law or a Minor Variance under Section 45 of the *Planning Act*;
    - Site plan control;
    - The dedication of land or cash-in-lieu of parkland;
    - The conveyance of land or conveyance for road widening, easements for utilities, access control or drainage;
    - The construction or upgrading of roads or the installation of drainage facilities and culverts;
    - The establishment of buffer strips and landscaping;
    - The installation of water supply or sewage disposal systems;
    - The entering into of a Consent (Development) Agreement including provisions of financial guarantees;
    - Demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions;
    - Implementation for adequate drainage or storm water management requiring the submission of a survey or reference plan of survey;
    - The requirement for additional information or studies.

3.15.3 Plans of Subdivision and Condominiums

Frontenac County Council is the approval authority for Plans of Subdivision or Condominium, in consultation with the Township Council.

In determining the need for a Plan of Subdivision or Condominium, Council shall have regard for the following criteria:

1. Scale of **development**: for larger scale development, such as the creation of four or more lots, which will usually require new services, or will impact the ecological

functions of lakes. Waterfront development proposals will be carefully reviewed to determine if they are best addressed through the subdivision or condominium process;

2. Municipal services: a subdivision or condominium will normally be required where new roads will be constructed which may be assumed by the Municipality or there is a need for a cost-benefit analysis in assessing the potential operational costs to the Municipality for providing services (e.g. waste disposal, fire protection);

3. Environmental impacts: **development** expected to have a **significant** impact on the natural environment (e.g. on lake capacity, on the quality or quantity of water, on sensitive habitat), may be best addressed by a Plan of Subdivision or Condominium. Of particular importance is establishing an appropriate (minimum) or sustainable lot size for future development;

4. Impact Studies: where it is necessary to assess the potential impacts of **development** on a broad scale or larger geographic area (e.g. known or potential contaminated site, determining the extent of flood prone lands, determining the exposure to noise and/or vibration), a Plan of Subdivision or Condominium is preferred; and

5. Cumulative **Development**: land which may be developed in phases or over a period of years or where there is a need to consider the cumulative impacts of developing some or all of the property will be reviewed to determine whether a plan of Subdivision or Condominium is the best approach.

Council may request the approval authority to impose conditions and may require the applicant to enter into an agreement under Section 51 (26) of the *Planning Act* for the installation of services; securing the financial arrangements and such other matters as are provided for under the *Planning Act.*

3.15.4. Part-Lot Control

Part-lot control may be used for existing plans of subdivision where it is necessary to realign lot boundaries, to clarify or grant title, to exact specific servicing requirements as a condition of consent such as a road widening or to further control internal **development** on a lot. Part-lot control will require approval from the County of Frontenac.

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3.16 Waste Disposal Facilities

3.16.1. Existing or New Sites

Existing active or new sites (public or private) within the Township may only be operated, expanded or closed in accordance with current Provincial environmental standards and approvals.

Waste disposal activities may include facilities for recycling, composting, septage disposal, hazardous waste control and ancillary activities in accordance with the Environmental Compliance Approval. New sites, including sites for septage disposal, will require an amendment to this Plan and will require approval under the *Environmental Protection Act* before an amendment is considered. Prohibited wastes shall include nuclear wastes, hazardous or pathological wastes. Sites may include transfer sites used for the temporary storage of waste materials.

3.16.2. Closed or Inactive Sites

Closed or inactive sites may be used for other purposes subject to meeting requirements of the *Environmental Protection Act*. In general, no buildings or other use may be made of land used as a waste management facility within a period of 25 years from the year in which the site was closed without the prior approval of the Minister of the Environment, Conservation and Parks. Exceptions include the use of the property for approved infrastructure programs.

3.16.3. Influence Area

Council recognizes that waste management facilities may have an impact on adjacent land uses. An **influence area** surrounding the waste management facility shall be set out to recognize the potential for **adverse effects** between the existing waste management facility and any abutting land uses.

No **development** shall be permitted on or within 30 metres of the fill area of an active waste disposal facility or area. **Development** proposed beyond the 30 m but within an influence area of 500 metres of the fill area of an active waste disposal facility or area of a waste site closed less than 25 years ago shall be accompanied by a technical study prepared in accordance with the Ministry of the Environment, Conservation and Parks 'D-Series Guidelines' and prepared by a qualified individual that demonstrates that the proposed **development**, particularly a sensitive land use, will not be negatively impacted by the waste disposal facility (e.g. leachate, methane gas, rodents, vermin, odours, fire etc.). Where recommended by the impact assessment, measures to mitigate any adverse impacts will be required as a condition of development.

The **influence area** may be reduced where studies have been undertaken and the public authority having jurisdiction is satisfied that there will be no adverse impact.

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No amendment to this Plan is required for construction within an influence area provided that it has been demonstrated to the satisfaction of the Township and any required agency or and Ministry that the proposed development will not be negatively impacted.

3.16.4. Designation on Land Use Plan

Waste Disposal sites and transfer sites are identified on the **Land Use Schedules** as a land use designation with the influence area identified.

3.17 Water Supply and Sewage Disposal

3.17.1. Policy Overview

The Provincial Policy Statement identifies a servicing hierarchy of which **municipal sewage services** and **municipal water services** (connected to a centralized water and waste water treatment facility) are the preferred form of servicing for **settlement areas**. It is the intent of Council, in having regard for this statement, to balance the servicing needs of the area with the character of **development**. Servicing will generally be on the basis of **individual on-site sewage** services and **individual on-site water services**. This reflects the character of the area as well as the intent to avoid densities, which may necessitate the installation of piped services. This may not preclude the need for private communal sewage and water services for larger scale permanent residential (condominium or tenured ownership) developments or commercial developments.

Where applicable, Council will have regard for Ontario's "*Safe Drinking Water Act",* which ensures that Ontarians have access to a safe drinking water supply.

3.17.2. Individual On-Site Systems

Lands throughout the Township may be serviced by **individual on-site sewage services** and **individual on-site water services**. Individual on-site services are owned, operated and managed by the owner of the property upon which the system(s) are located. Planning applications for new **development** shall be supported with information satisfactory to meeting the approval requirements under the Ministry of Environment and Climate Change D-series Guidelines or the *Ontario Water Resources Act*.

Where a lot or lots are serviced with individual on-site water and sewage services site conditions shall be suitable for the long-term provision of such services. This may require a hydrogeological and water supply assessment study designed to assess the potential risk to groundwater. Reference shall be made to Ministry of the Environment, Conservation and Parks, Guidelines D-5-4 and D-5-5, Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment, in undertaking the appropriate assessment. Approval of new lots may include sufficient off-site **reserve sewage system capacity** for hauled sewage and the lot shall be accessible by a sewage hauler.

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3.17.3. Communal Services

Council may consider private sewage and private water communal services for multiple lot/unit **development** and redevelopment.

1. Township Council shall encourage communal servicing as an alternative to private wells and septic tanks, where it is deemed feasible, and is supported by the Ministry of the Environment, Conservation and Parks.

   Council shall balance the servicing needs and the fiscal reality of achieving rural affordability.

2. Development on communal services shall be encouraged within the Settlement Area designatio. In settlement areas, the priority shall be for residential and commercial development on communal servicing and shall be implemented through plans of subdivision or vacant land condominium.

3. The Township shall require a Municipal Responsibility Agreement to be established between the proponent and the Township or Township's representative. In approving any communal system, the Township may require a peer review of the proposed communal system, and shall require financial securities, and may impose a utility rate, to ensure that all operational, maintenance, and administration costs associated with the private communal services will not create an unacceptable financial burden for the Township, in the event of default by the owner-operator of the system.

4. That the proposed owner/operator shall be required to prepare an appropriate business plan to establish an appropriate cost structure for the installation and operation of the communal services(s).

5. That a financial security may be established, to offset potential capital or operational costs arising from the default of the operator to the satisfaction of the Township.

6. Where a private communal sewage service(s) is required for permanent residential development, the Municipality shall be responsible for the service(s) should the system fail or the maintenance be neglected. Where a private communal service is required a responsibility agreement shall be required between the Municipality and the proponent or developer. A responsibility agreement will not be required for a mobile home park or recreational vehicle park for seasonal residential development. A private communal water service may include a Permit to Take Water under the *Ontario Water Resources Act.*

   The responsibility agreement shall set out the requirements for the operation and maintenance of the system on a private basis subject to the approval of the Ministry of Environment, Conservation and Parks. The legal agreement shall contain financial assurance provisions which will ensure funds for operation and routine maintenance as well as a secured fund for capital improvements should repair or replacement of the

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facility become necessary. In addition, the legal agreement may set out the following, but is not limited to:

- Operating and Maintenance Standards;
- A definition of Default;
- An outline of remedial action;
- Registration on title of the subject property; and
- Easements, where required.

7. **Township Council recognizes the policy work being completed by the County of Frontenac (as of the date of adoption of this Plan) to support new residential, commercial, and industrial development on communal services. Council supports this initiative and will consider amendments to this Plan to support this form of development in both settlement areas and rural areas of the Township.**

3.17.4. Stormwater Management and Drainage

It is a policy of Council that stormwater management shall be required as a preventative approach to protecting water resources. Best management practices will be encouraged in the application of the following principles:

1. That natural hydrological characteristics are maintained, and where possible, enhanced as the means to protecting the base flow of watercourses. In particular, that post-development flows, particularly in receiving streams, are maintained at pre-development levels and that the cumulative impacts of **development** (within the sub-**watershed**) are considered as part of stormwater **infrastructure** design.

2. That the natural infiltration of water on lands, which are developed, is maximized, through 'Low Impact Development' techniques;

3. That proposed **development** will not result in increased downstream flooding or erosion or cause **adverse effects** on receiving waters;

4. To ensure that alterations to natural drainage systems are prohibited or at least minimized by maximizing the retention of natural vegetation and by leaving stream channels in their natural form;

5. That fish and **wildlife habitat** are protected, enhanced or restored including habitat linkages where affected by the discharge or outlet of drainage facilities;

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6. That a sustainable environmental approach is utilized in protecting water resources; and

7. That a construction mitigation plan is instituted to prevent stream borne sediments, changes in flow or other adverse characteristics from affecting the **ecological functions** or other impacts on receiving waters during construction.

It is the intent of Council to incorporate stormwater management controls into the **development** review and approval process. Proponents of development may be required to plan for and undertake stormwater management, which complies with the above principles as well as any master drainage plan. This may require a sub-**watershed** management plan for large tracts of land or a stormwater site management plan.

Depending on the size and scope of a particular **development**, Council may require the preparation of a master drainage plan. Where these plans are in place, stormwater management plans should conform. Council will consult with the Conservation Authority, if applicable, in the review of these plans.

The intent of this Plan is to ensure conservation and protection of water resources.

3.18 Coordination of Services

Council intends to monitor population, employment and housing development having regard to trends across the County of Frontenac and their impact on growth management in Central Frontenac.

Council will co-ordinate economic development planning and programming among community stakeholders such as business, municipalities, government and education organizations and the First Nation communities.

Council will protect common transportation and **infrastructure** corridors with neighbouring municipalities and the Province.

Council will conserve cultural heritage and **archaeological resources** by developing protocols for consultation with adjoining municipalities and the First Nations.

Council will conserve **natural heritage features and areas** and area municipalities in ensuring the integrity of the **natural heritage system**, notably wildlife corridors, wetland complexes and other features which cross municipal boundaries.

Council will collaborate with the County of Frontenac and the other Townships on projects involving regional infrastructure investment and shared public services.

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3.19 Age-Friendly Planning

Like many areas of rural Eastern Ontario, Central Frontenac – and Frontenac County as a whole – has an aging permanent population. This demographic change will result in new priorities and challenges in the areas of affordable housing, accessible transportation, public spaces and **infrastructure**, recreation, and community health. The Township recognizes the importance of adapting its infrastructure and service delivery to meet these challenges, and will support the development of age-friendly communities that promote active aging and a high quality of life among residents at all stages of life. In order to achieve this, the Township will apply an age-friendly perspective in planning for its future. The following objectives and implementation policies will create a more age-friendly community.

3.19.1 Objectives

1. To plan for the needs of the Township's diverse population based on age, gender, ability, support needs, and income.

2. To recognize the interaction between housing, transportation, and other aspects of the physical and social environment in influencing residents' mobility, independence, health and quality of life as they age.

3. To support active aging for all residents by promoting the development of healthy, complete communities that encourage them to age in place.

3.19.2 Policies

The Township shall:

1. Promote the development of communities featuring a range of affordable and barrier-free accessible housing options that are well integrated with transportation choices and community amenities and services.

2. Support development of a well-connected network of active transportation facilities to increase the range of healthy and accessible transportation and recreation options available to residents of all ages and abilities.

3. Promote the use of universal design features in housing and accessibility features in the built environment to create safe, inclusive and barrier-free spaces that enhance the mobility and independence of residents of all ages and abilities.

4. Work collaboratively with other Townships and the County of Frontenac in implementing the regional Age Friendly Planning Study (2017) to create walkable communities with

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good access to community services, amenities, and green spaces to promote healthy, independent and active aging.

5. Identify areas of the built environment and/or supporting services where improvements can be made to improve universal accessibility.

3.20 Community Improvement

It is a goal of Township Council to maintain, rehabilitate, and upgrade the physical environment in order to ensure the continued viability of Central Frontenac as an attractive place to live, work, visit, and relax.

In order to achieve this goal, it is Council's intention to implement a program of community improvements, as defined in Section 28 of the *Planning Act*, which will fulfil the following objectives:

To foster improvements by:

- Establishing and maintaining the physical infrastructure necessary and appropriate for the various areas including storm drainage, roads, lighting, community facilities, and other such infrastructure;
- Encouraging property owners to take pride in the appearance of their own property and Township lands in general.

In the Settlement Area designation, to foster improvements by:

- Striving for equitable distribution of social amenities to serve various part of the Township with facilities that are well maintained and accessible;

- Ensuring the maintenance of existing housing stock and encouraging the rehabilitation, renovation, and repair of older dwellings;

- Maintaining attractive villages and hamlets with the necessary physical attributes to create pleasant and accessible local service areas;

- Providing incentives through Community Improvement Plans in support of the Settlement Area to foster a healthy local economy for local businesses;

- Ensuring that proposed building changes to businesses generally enhance the area and are compatible with adjacent land uses; and

- Encouraging the participation of the private sector in community improvement initiatives by involving local merchants, residents, and community associations.

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This Plan designates the entire Central Frontenac Township as a Community Improvement Policy Area. Council will undertake various improvement programs within the Policy Area as financial resources permit and with local support of residents and the business community.

Council may establish community improvement project areas, as local municipal resources allow and as government funding becomes available. Council recognizes that improvements will be undertaken gradually and that it will be necessary to select project areas on a priority basis. The following considerations should be taken into account when selecting high priority areas for community improvement:

- The level of deterioration of municipal infrastructure;
- The value of the built area in terms of serving local commerce and social and cultural needs; and
- The existing or potential significance of the built area in relation to serving tourism-based economic development objectives.

3.21 Tiny Houses

A. Tiny houses are becoming an alternative form of affordable housing and have building standards that can allow for seasonal or year-round accommodation. **A tiny house differs from a recreational vehicle (RV) in that it is typically intended for year-round, long term living. Generally, many tiny houses look like a regular house – but in miniature.**

C. Tiny houses that are built on approved foundation system with septic system shall be permitted in any zone allowing single detached dwellings.

D. Tiny houses built on trailers where the suspension/axle components have been removed and the chassis permanently attached on an approved foundation shall be permitted in any zone allowing single detached dwellings.

E. Tiny houses on mobile chassis where the suspension/axle components remain are considered semi-permanent and shall be permitted in zones that allow mobile homes when constructed to the appropriate CSA standard.

F. All tiny houses shall be constructed in accordance with the Ontario Building Code and where appropriate required CSA standard.

G. Tiny houses where the wheels remain attached to the suspension/axle components shall be considered recreational vehicles and shall be permitted where recreational vehicles are permitted. When permitted where recreational vehicles are permitted, tiny houses shall be constructed to the appropriate CSA standard.

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3.22 Salvage Yard

Because of the potential land use conflicts associated with this type of land use, the intent of the Plan is to direct these uses to locations which minimize the impact on surrounding or adjacent land uses.

3.22.1. Permitted Uses

On lands to be used as a salvage yard, the uses shall include the storage, crushing, dismantling, recycling, sorting or transfer of vehicles, building materials, non-hazardous wastes, junk and other materials and shall include the incidental retail, shipping and receiving of such materials. A salvage yard use may include a Derelict Motor Vehicle (DMV) site. Accessory uses may include storage facilities, accessory dwelling unit for the owner and administration facilities.

3.22.2. Amendment

New scrap, junk, salvage or wrecking yards shall be located on lands designated for these purposes by an amendment to this Plan. Existing sites may also be recognized which comply with the intent of the following planning principles.

3.22.3. Planning Principles

In considering applications for Amendments to this Plan to designate an area for scrap, junk, salvage or wrecking operations or an extension to an existing area, Council shall amongst other matters give consideration to the following planning principles:

A. The general need and desirability of the type of operation proposed;

B. The location of the proposed site relative to the land use and development policies in this Plan;

C. The suitability of the topography and soils relative to the proposed use;

D. That insofar as is practical, scrap, junk, salvage and wrecking operations will generally be restricted to areas not exposed to public view;

E. The adequacy of existing or proposed roads to provide access to the site and capacity to support truck traffic;

F. That adequate provision is made for fencing, buffering or berming the operation (see Section 3.3 – Buffering and Land Use Conflicts). Council may also impose a minimum distance separation between the salvage yard and an adjacent use(s); and

G. The entering into of a Site Plan Control Agreement under the *Planning Act* **(see Section 6.9.10. - Site Plan Control**).

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3.22.4 Zoning

Provisions shall be made in the implementing zoning by-law to regulate salvage yards.

3.23 Forest Management

It is a policy of Council to recognize the importance of forests as a sustainable resource within the Municipality. The stewardship of this resource activity is recognized as taking place on both Crown Land and private land. Council recognizes and encourages timber harvesting and silviculture activities of commercial timber operations licensed by the Ministry of Natural Resources and Forestry or the management of forests by private owners or the Township.

On Crown Land, forest management and wood production activities are encouraged as governed under agreements under the *Crown Forest Sustainability Act*. In the development of such agreements under the *Act*, Council will work with the Province and the forest industry to ensure that other resource attributes are considered and managed for their respective values.

Council will encourage private property owners to develop forest management plans as a means to contribute to the quality of life and economic health of the community. The Township will also support complementary land uses to forest management practices and activities such as **wildlife habitat** improvement, or ecosystem improvement and the active or passive use of forested areas for **recreational** activities such as cross country skiing, picnicking, snowmobile and other similar outdoor **recreational** facilities and resource uses.

In recognizing the importance of the forest resource within the Municipality, it is a policy to both support and help coordinate the application of forest stewardship techniques to ensure compatibility with harvesting, renewal and maintenance operations with other resource attributes, particularly wildlife and **fish habitat**.

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4

COMMUNITY DEVELOPMENT LAND USE

Township of Central Frontenac

4 Community Development – Land Use Designations

The purpose of the Community Development – Designations section of this Plan is to provide Council and the public with land use policies that guide development for certain areas or land uses in the Township. These policies are to be read in conjunction with Section 3 (General Development Policies) when considering development or redevelopment proposals.

4.1 Settlement Area

4.1.1. General

The **Settlement Areas**, shown on the **Land Use Plan Schedule,** are the built-up settlements that provide the focus for basic community services required to serve the needs of area residents and visitors. The Settlement Area also makes-up a part of the unique character of the community. Within the areas designated as Settlement Area a mix of land uses will be permitted, notably residential, public service, commercial and light industrial. Residential development will be particularly encouraged in order to provide an adequate all-season basis for local businesses and industry.

This Plan designates seven (7) **Settlement Areas**, namely, Arden, Mountain Grove, Sharbot Lake, Crow Lake, Parham, Tichborne, and Piccadilly, as shown on the **Land Use Plan Schedule.**

In the review of planning applications, Council shall encourage the development of the **Settlement Area** by in-fill rather than as strips along the main roads. Provisions shall be made in appropriate locations to reserve road allowances from the main road for future internal lots behind existing development. The development of existing vacant lands within the built-up areas shall be encouraged.

The Township shall encourage growth and development in the Settlement Area, including mainstreets, to occur on communal systems to revitalize the historic hamlets and provided opportunities for increased density and a mix of land uses.

To achieve as much flexibility as possible, the permitted uses within the Settlement Area are established by policy statements rather than by attempting to designate specific areas for each use on the **Land Use Plan Schedules.**

The boundaries of Settlement Area are considered to be suitable for a ~~**20**~~ **25**-year time horizon. ~~Settlement Area boundaries may only be adjusted where the hamlet does not have a sufficient land supply to accommodate the growth projected for the Township.~~

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4.1.2. Permitted Uses

Permitted uses in the **Settlement Area** designation as shown on the **Land Use Plan Schedule** shall include:

1. **Residential uses*:*** Development shall generally be limited to low densities such as single-detached dwellings, semi-detached dwellings, and duplexes including home based businesses. Higher density residential uses will also be permitted which serve the changing demographic profile of the community such as housing for small block apartments and row houses. Council will endeavour to provide for affordable housing in meeting future housing demands.

2. **Commercial Uses*:*** Permitted uses which service the needs of residents and the traveling public and tourism industry may include retail, services, offices, restaurants, tourist services, motels and hotels, service and repair shops, and general business activities appropriate to a commercial area. Commercial uses which act as outlets or producers for local goods and services will also be encouraged.

   Such development should front on an arterial or collector road, wherever possible. Council shall ensure that any proposed commercial use is compatible with neighbouring residential uses, particularly in regard to appearance, traffic generation potential, noise and other environmental factors.

   Commercial uses are designated as site plan control areas.

3. **Industrial uses*:*** Light industrial uses and service type industries which provide services and/or products for the immediate area or which use materials produced locally and normally have a retail outlet. Industrial uses shall generally be limited to a Class I use as set out in the Ministry of the Environment, Conservation and Parks Classification system for industrial uses.

   Industrial uses are designated as site plan control areas.

4. **Institutional and Public Service Uses*:*** Permitted uses shall generally be public or community uses that provide services to the general public, such as assembly halls, government offices, libraries, public buildings, places of worship, schools, social service clubs and facilities, recreational facilities, heliport, communication towers.

   Institutional and public service uses may be subject to site pan control.

4. **Agricultural / Hobby Farm Uses:** Permitted uses may include low-impact agricultural and farm operations such as livestock, apiaries, poultry (e.g., backyard hens), community gardens, greenhouses. Council will consider passing a licensing by-law under the *Municipal Act* to regulate and monitor such uses.

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4.1.3. Settlement Area Planning Principles

The following site development and land use standards shall apply to residential and non-residential uses in the Settlement Area:

1. Ensuring that the lot size is adequate for the proposed use and for potential for future expansion;

2. Ensuring that the lot can be adequately serviced with water supply and sewage disposal;

3. An existing residential property may be converted to a commercial use or may be a mix of commercial and residential uses. Conversions shall only be permitted where Council is satisfied that the use will be compatible with land uses in the immediate vicinity and that the lot size is adequate;

4. Energy efficient and sustainable design will be promoted for all development;

5. Ensure accessibility is considered in design in the review and approval of all development with the aim to identify, remove, and prevent barriers for people with disabilities;

6. Provisions shall be made in the implementing Zoning By-law to classify individual types of land use and to set out the zone requirements for development;

7. Council will encourage development to occur on existing approved lots before considering new development. Opportunities for intensification and redevelopment shall also be promoted where it can be accommodated in the Settlement Area;

8. Lots shall have frontage on or direct access to a public street, a private lane of which the owner has legal deeded access, a Township Road Allowance (subject to an agreement with the Township), or right-of-way/easement as per the requirements of the respective zone in which the lot is situated;

9. The lot area shall be sufficiently large to accommodate the intended use including parking, on-site maneuvering of vehicles, loading, storage of materials and wastes, access by emergency vehicles, future expansion and landscaping;

10. Building coverage and height control standards will be set out in the implementing Zoning By-law. Building height shall not exceed the equivalent of four storeys;

11. Services shall be evaluated to determine if they are adequate to meet the requirements for industrial uses waste management, fire protection and roads. Industrial uses, which consume large quantities of water, will not be permitted;

12. Site plan control shall apply in directing the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities

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and services, landscaping for any new commercial, industrial or public service use and for extensions to existing uses;

13. Where applicable, the policies of section 4.10 – Lake Development Area shall apply to any development proposed within 150 metres (500 feet) of a waterbody.

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4.1.4. Special Policy Area – Sharbot Lake

Sharbot Lake is the largest community in Central Frontenac and its central location in the upper half of Frontenac, as well as being adjacent to Provincial Highway 7, will allow the community to thrive over the next 20 years.

The village currently provides a variety of commercial and community services to both year round and seasonal residents. At Highway 7 there are a number of gas service stations, food takeout operations, grocery and corner store, as well as beer and liquor stores and an Ontario Provincial Police detachment.

Sharbot Lake also offers numerous recreational activities including nearby Sharbot Lake Provincial Park, a municipal boat launch, the joining of the Frontenac K&P Trail and the Trans Canada Trail in the middle of the village, and a large waterfront beach and playground. Approximately 250 citizens reside in the Sharbot Lake area.

The goal of this special policy section is to create a cohesive plan for the future development of Sharbot Lake area which takes into consideration the sustainability of the existing village, its connection to Highway 7, existing and future transportation connections, and economic development. The lakeside location, rich history, and future as a recreational trail hub have the potential for Sharbot Lake to become a leading destination for new residents and a major attraction for tourists.

The objectives of the Special Policy Area include:

- To create a built environment that is supportive of pedestrians and encourages active transportation;
- To encourage the retention of existing businesses and the attraction of new businesses to strengthen the village as a regional area;
- To better connect the existing development with the lands adjacent to Highway 7;
- To develop a strong sense of place near the Highway 7/Road 38 intersection;
- To maintain and improve public access to the Sharbot Lake waterfront and other public spaces in the community.

Council may consider developing a secondary plan to guide the implementation of the physical improvements to Sharbot Lake, and to establish a detailed infrastructure plan for capital investment.

The policies in this section should be seen as a toolkit, in that areas or projects can be phased over time based on the Township's strategic priorities and funding availability. All of the

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projects and/or goals are intended to promote growth and development, so implementing any of these projects at any time should be considered beneficial to residents and tourism.

Destination Sharbot Lake

The Plan identifies five key policy areas within the Special Policy Area – Sharbot Lake that are intended to work together to move Sharbot Lake towards becoming a destination, while strengthening the overall economy and providing the required essential services for the community. The key policy areas include:

- First Impressions: Highway Arrival;
- Re-Establishing a Core: The Village;
- A Central Attraction: The Waterfront;
- Highway 7 Parkway Concept; and
- High Frequency Rail Project: Welcoming Rail Travel Back to Sharbot Lake.

First Impressions: Highway Arrival

First impressions are lasting impressions which makes the arrival at Sharbot Lake on Road 38 and Highway 7 a top priority. It is a goal of Council to support projects and partnerships to attract more visitors to the village. The objective is to create a visual sense of arrival at Sharbot Lake, as well as into the community through traffic speed reduction, landscaping, signage, that will highlight the village and entice visitors to stop.

Road 38 Entrance

The current entrance into Sharbot Lake village from Road 38 (south of village) is dramatic: as the road curves to the north a visitor sees a vista of the lake and the bridge ahead. To a newcomer, the community is quickly viewed as a ‘village on the water’.

A well designed gateway can communicate to people that they are leaving a rural road and entering the village.

Council will consider developing a landscape plan to enhance the entrance to the village in the area south of the causeway. The entrance will be developed as a gateway to mark the entrance to the village. Gateway may include but not be limited to: a formal gateway that covers the road; a ‘landmark’ or ‘tower’ that marks the beginning of a transition from road to village; and/or a median or island that may be landscaped and/or include signage.

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Connecting the Village from Highway 7 / Road 38 Intersection

The Ontario Ministry of Transportation (MTO) operates and manages Provincial Highway 7 that travels east-west across the northern part of Sharbot Lake. The village is the largest community located on the Highway between the Town of Perth to the east and the Village of Madoc to the west.

The current Highway 7 / Road 38 interchange can be described as a 'highway stop' where the goal of the traveller is to stop as quickly as possible to re-fuel. The scale of the businesses, the scale of the streetscape, and the dominance of the car create an unpleasant pedestrian experience. Existing permitted traffic speeds on Highway 7 near Road 38 are too such that visitors may simply miss the community.

Township Council envisions the potential for new commercial development along the Highway 7 corridor to complement and attract visitors to the village, and recognizes that the Highway 7 and Road 38 intersection area has the potential to influence the future of the main village if designed for reduced traffic speeds and a more walkable area. Future design of Highway 7 has the potential to create a positive first impression of the area and can move Sharbot Lake to becoming a destination and strengthen the overall economy of the village and provide the essential services to the community.

Council supports the future design of the Highway 7 / Road 38 intersection as a community entrance and the main northern gateway of Sharbot Lake. This intersection and the surrounding area should have a future design that accommodates pedestrians, cyclists, and vehicles. This design should incorporate:

- Gateway signage and/or architectural elements or public area to symbolize the formal entrance;
- Reduced traffic speeds and the establishment of a stop light at Highway 7 and Road 38; and
- The creation of separated pathways for cycling and walking, recognizing that Sharbot Lake will become a trails hub.

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Reinforcing the Core: The Village

The main village of Sharbot Lake is unique as it essentially a peninsula surrounded by lake water. Views of Sharbot Lake are visible at almost any location in the village which lends a sense of connection with the water. The village has the potential to solidify its role as a regional area for this part of the Frontenac region. This will require mainstreet and aesthetic improvements, but also the need to develop infrastructure necessary to sustain existing businesses and community services as well as new commercial development.

Council shall reinforce and reinvigorate the existing settlement area and development by:

- Maintaining the village as a main center of business, employment and economic activity and the social and visual heart of Central Frontenac by providing for a mix of land uses and ensuring its role as a people-place;
- Providing a mix of uses that recognize the value of business, residential, retail, entertainment, cultural and leisure uses in creating vitality and diversity;

- Establishing a formal trail hub in recognition that the village sits at the intersection of the north-south K&P Trail and the east-west Trans Canada Trail, and the potential for Sharbot Lake to become a formal destination on the trail system; and
- Recognizing the Railway Heritage Park as a core public space in the village and support ongoing improvements to enhance its use by citizens and visitors.

A Central Attraction: The Waterfront

The village is surrounded on three sides by the waters of Sharbot Lake and the connection to the water has social, cultural, and economic importance to the community. This water connection also can serve to support Sharbot Lake becoming a destination and a regional hub. It is the intent of Council:

- To recognize the Township-owned Sharbot Lake Beach area as an important community facility for traditional beach use and also for community events;
- To support opportunities for other potential land acquisition along the shoreline of the village for public use; and
- To support the future extension of the K&P trail northerly that will allow for additional waterfront vantage points between the village and Highway 7.

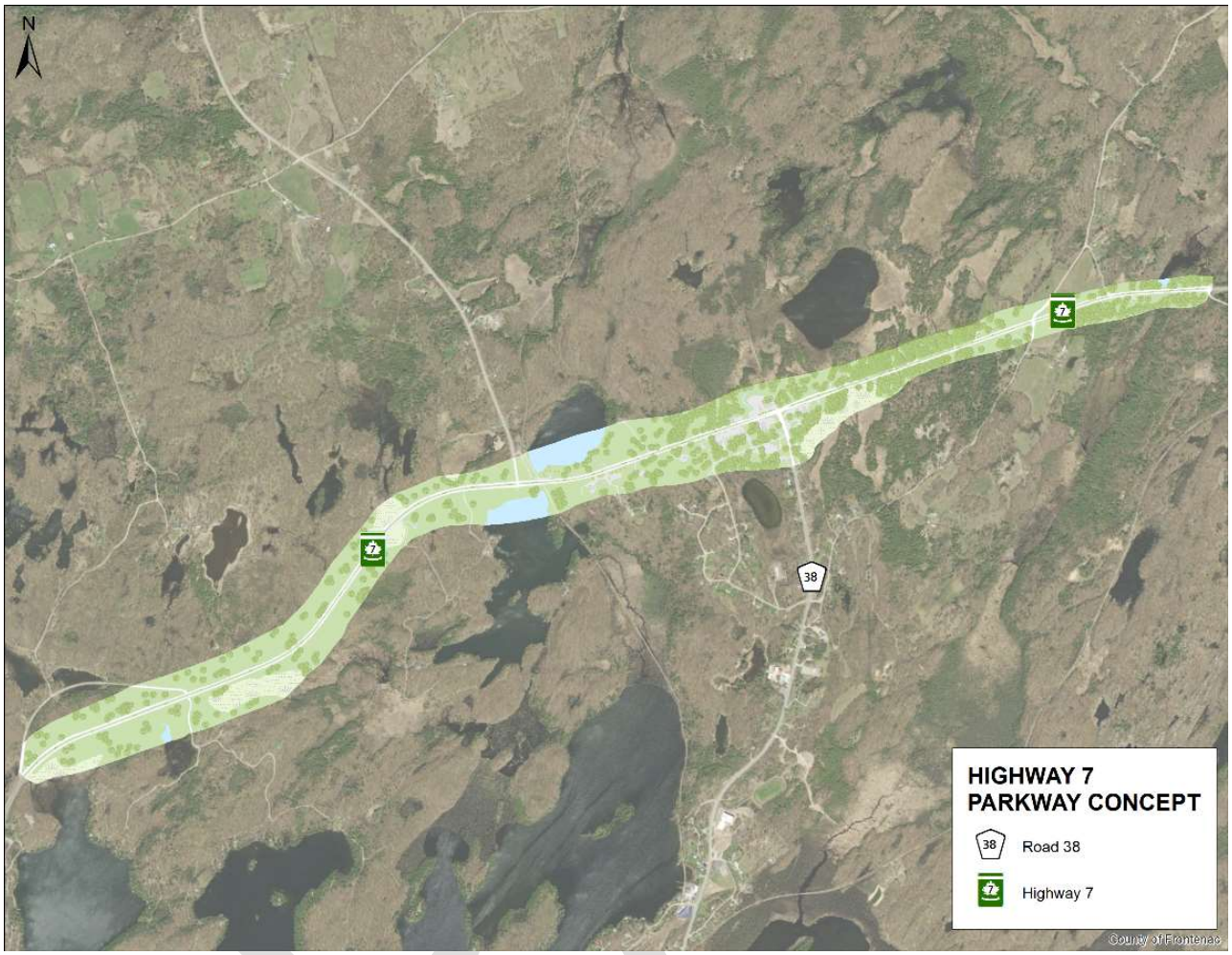
Highway 7 Parkway Concept

The Ontario Ministry of Transportation operates and manages Provincial Highway 7 that travels east-west across the northern part of Sharbot Lake. Township Council envisions the potential for new commercial development along the Highway 7 corridor to complement and attract visitors to the village. Council is aware of the Ministry's long range plans to make Highway 7 a four lane highway between Peterborough and Carleton Place. It is the position of Council that the redesign of Highway 7 as a highway similar to other 400 series Highways in Ontario would damage the future rural economy of this part of the Frontenac region.

It is the intent of Council to support the future design of the Highway 7 area as an active transportation route for the area between Sharbot Lake Provincial Park to the west, and to

Fall River Road to the east. The following policies are intended to direct and focus further planning, design, and traffic management efforts for the creation of this parkway:

- The overall goal is to plan a parkway corridor, landscape improvements, and adjacent existing and future land uses in an integrated and high quality manner;
- The Sharbot Lake Parkway shall integrate multiples modes of safe and efficient travel including vehicles, bicycles, and pedestrians. The creation of separated pathways for cycling and walking recognizes that Sharbot Lake will become a trail hub;
- The Sharbot Lake Parkway shall be an innovative four-lane roadway that will be designed in accordance with a 'parkway' theme that will allow for a picturesque driving route in this area of Frontenac which has dynamic landscape features such as the Canadian Shield outcrops, woodlands, wetlands, and lakes. The goal is to emphasize the role of the parkway as a 'place' and 'destination' that is multi-use in nature;
- Consistent landscape and streetscape improvements should be used to enhance the unique visual environment of the Parkway; and
- The Township will take a collaborative approach to work with the Ministry of Transportation and Frontenac County is developing this parkway plan.



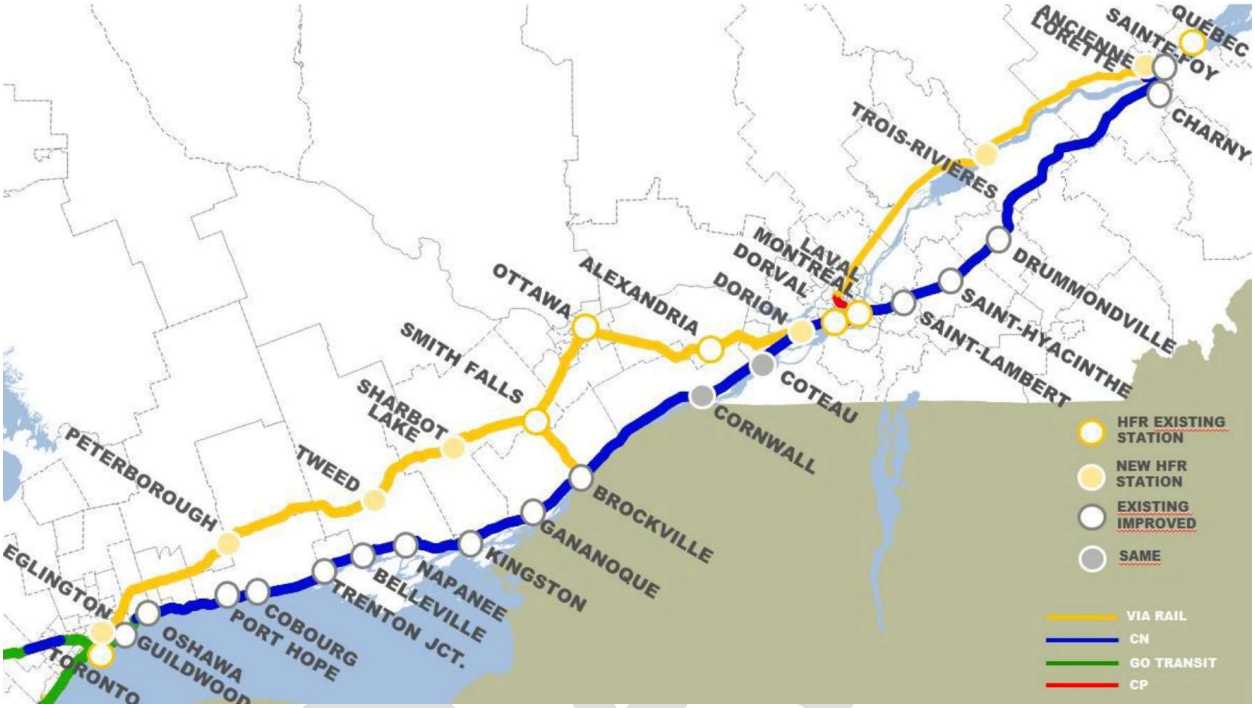
High Frequency Rail Project: Welcoming Rail Travel Back to Sharbot Lake

VIA Rail Canada is working on plans to create a new high frequency rail (HFR) line that would run from Toronto to Ottawa and also to Montreal and Quebec City. The rail line would be dedicated to VIA passenger trains. The HFR concept proposed by VIA would triple the number of trains by day in this corridor. One of the proposed train stops considered is Sharbot Lake. At the time of adoption of this Plan it is not known whether the line would need to be constructed partly through the village. It is the intent of Council to:

- Support the VIA Rail proposal to construct a high frequency rail line from Toronto – Ottawa – Montreal – Quebec City, including a train stop in Sharbot Lake;

- Work with VIA Rail on any proposed train stop and train station that will be in the Sharbot Lake area, and consider any municipal infrastructure improvements to allow connection from the village to the train stop; and

- Hold public consultation with residents and businesses in order to best accommodate the VIA Rail project into the existing village.



Proposed High Frequency Rail Line
Source: VIA Rail Canada

4.2 Rural Area

4.2.1. General

The goal of this Plan is to establish policies that will help the Township deliver a sustainable, living, working rural area that supports existing and future residents who wish to live and work in Central Frontenac.

Rural Area policies are meant to support and foster farming, commercial operations, and small businesses in order to create an environment to provide practical rural services and employment needed in the Township. Creating new employment opportunities and affordable living will ensure that services such as schools, post offices, and local commercial uses can be feasible in the long-term. The Township supports the idea of rural sustainability and lands within the rural area are meant to provide a variety of opportunities for work and for living.

Within the Rural Area, the Plan provides for a supply of land for a diversity of traditional and evolving rural uses. These include rural residential, **recreational** oriented uses, rural accommodation uses, uses characterized by large areas of open space; **public utilities and commercial facilities**, and rural commercial and industrial uses.

The Plan recognizes the economic value of renewable and non-renewable resources within the Rural Area (e.g. forestry, mineral aggregates, **minerals**, agriculture and water) and the need for the stewardship of these resources. The Plan provides for resource development and measures for minimizing the land use conflicts, which may arise from such **development**.

Planning will apply to all **development** for the respective land uses in this Section to ensure that it is environmentally sound and is complementary to the physical and scenic attributes of the natural environment. New **development** will be on the basis of on-site (private) water and sewage disposal systems, or communal systems, where appropriate.

Some uses will require a specific land use designation because of their characteristics, while others will be permitted and governed through the Zoning By-law. A number of uses are located and permitted within the Rural Area designation. These Rural Area designation uses include the Rural Residential uses, the Rural Commercial and Industrial uses, the Rural Recreational and Conservation uses, the Tourist Commercial uses and sites, the Recreational Vehicles and Recreational Vehicle Parks and Campgrounds uses and sites, Home Based Businesses, Special Rural Accommodation uses, and Agriculture uses. There are also within the Rural Area designation, a number of overlay and pattern systems affecting mineral resources and natural heritage features. Waterfront Areas, Crown lands and the **Mineral Aggregate Resources** all have their own site designations that are specifically mapped and shown in the **Land Use Schedule**.

4.3 Rural Residential Uses

4.3.1. Permitted Uses

For the purposes of this Plan, housing types may include permanent rural residential uses including single detached and two unit dwellings, mobile homes and accessory uses including a garden suite and or second units. Housing types may also include continuum-of-care facilities and tenured housing oriented to short-term or seasonal occupancy such as condominiums, fractional ownership and time-sharing. Tiny homes and ‘live/work’ buildings are also permitted in the rural area to provide a variety of affordable housing options.

Recreational vehicles are not considered to be a form of housing, but rather for short-term recreation-oriented accommodation.

4.3.2. Planning Principles

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A. Residential development may occur on individually created lots or by Plan of Subdivision subject to Section 3.15– Subdivisions, Consents and Part-Lot Control.

   Lot sizes for rural residential **development** shall be no less than 0.8 ha (2 acres). In determining whether there is a suitable building envelope, all required yard setbacks, steep slopes, rocks bluffs, ***wetlands***, etc. may be subtracted from the overall lot size.

   Lot sizes may be reduced in developments created by Plan of Subdivision or for multiple unit projects (fractional ownership, condominium, and time share).

   Rural residential **development** shall comply with Section 4.8 – Waterfront Area policies of this Plan, if applicable.

B. Residential development shall be adequately serviced with on-site water and sewage disposal services (see Section 3.18 – Water Supply and Sewage Disposal). Council may require a servicing options report as a means to determine the most appropriate option for servicing for large-scale development such as a Plan of Subdivision or for multiple unit projects (fractional ownership, condominium, time share).

C. Residential **development** will be permitted where it has frontage on and direct access to year round maintained Township roads, preferably the existing network of roads, or on private lanes, either of which must meet municipal standards for road construction (see Section 5 Transportation). In considering the approval of roads, Council shall be satisfied that new roads can be efficiently integrated into the existing road network of the Township and are cost-effective from an operational stand point. Water access will be permitted only for residential development provided the water body has access and long-term parking arrangements are secured at or near the access point by means of a registered lease, deed or other legal instrument acceptable to the Municipality.

D. Energy efficient and sustainable design will be promoted for all development**.** Council may establish performance standards through site plan control and other means.

E. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development**.

F. The type of access may be used to distinguish the zoning category and level of service (i.e., public services may not be provided or may be limited on private lanes). **Development** serviced by a private lane or water access only, will be placed in a Limited Services Zone while development, which is serviced by a year round maintained public road, may be placed in a Rural Zone. Rezoning may include both the water access lot and the associated water access location.

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G. All residential ***development*** is subject to the requirements for influence areas and separation distances (see **Section 3.9**).

H. Provision shall be made for safe access to a lot by avoiding entrances on curves, grades or where sight lines may be limited.

I. All residential ***development*** is subject to the Natural and Human-Made Hazards requirements of this plan including polices in **Section 3.11** for contaminated sites, mine hazards, and hazardous sites.

J. Dwellings and other structures shall be set back sufficiently from the crest of any embankment or any stream or river valley in order to ensure adequate structural stability and to protect and conserve the amenities of the natural shoreline (e.g. vegetation).

K. A rural residential **development** shall not land lock any other parcel of land in the immediate vicinity and must be designed to allow for integration with future development, where applicable.

(Note: regard shall be given for other applicable policies of this Plan in considering rural residential development. See also Section 3.2 – Accessory Uses; 3.10 – Lots of Record; and 3.14 – Shoreline Structures)

4.4 Rural Commercial and Industrial Uses

4.4.1. Permitted Uses

Commercial and industrial uses provide employment opportunities for Township residents, as well as important services for area residents, tourists, businesses, and the travelling public.

Permitted commercial uses shall include small-scale uses, which cater to the needs of local residents and to the traveling public. Examples include an auto service station, motor and recreational vehicle sales and service, commercial stores, accommodation services, restaurant, service shop. Residential uses may be permitted as an accessory use.

Industrial uses shall include a Class I, II or III (Ministry of the Environment, Conservation and Parks classification). Class I and II are described in **Section 4.1.2.C. (i) and (ii).**

Class III Industrial uses are described as a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other **sensitive land uses** in order to limit and potential **adverse effects** on the

environment or the surrounding areas and public health. No industrial use will be permitted that produces noise, smoke, odour, fumes and/or vibrations to such an extent that the reasonable use and enjoyment of surrounding lands, buildings and/or uses is impaired and/or the air quality, water resources and/or public health of the area are negatively impacted. Residential uses may be permitted as an accessory use.

4.4.2. Planning Principles

The following site development and zoning standards shall apply to commercial and industrial uses in the Rural Area:

A. Ensuring that the lot size is adequate for the proposed use (e.g. to allow for access, parking and loading, private services, storage, signage, landscaping and buffering, privacy or open space areas, accessory buildings, light, air and access to the rear of the lot) and for the potential for future expansion (i.e., enlarging, expanding, phasing and the addition of industrial buildings to meet the long-term needs of the business);

B. Ensuring that the lot can be adequately serviced with water supply and sewage disposal (see Section 3.17 - Water Supply and Sewage Disposal);

C. **Development** shall have frontage on a publicly maintained road, or a registered right-of-way or private lane, which connects to a publicly maintained year round, or seasonal road. Access to commercial and industrial uses will be carefully controlled in order to avoid creating a traffic hazard. Generally, there should be no more than two access points per lot. Access to Highway 7 is restricted and is subject to the requirements of the Ministry of Transportation (see Section 5.1 – Provincial Highways);

D. Where commercial uses are located adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses buffering (see Section 3.3 – Buffering and Land Use Conflicts);

E. Provisions shall be made in the implementing Zoning By-law to classify individual types of land use and to set out the zone requirements for **development** (e.g. lot size, frontage, setbacks, height, parking, signs, landscaping, etc.). Council may establish separation distances between industrial uses and **sensitive land uses** and other uses;

F. New industrial **development**, shall proceed by amendment to this Plan and shall have regard to the applicable planning principles listed above and below for industrial development. Existing uses may be expanded where there are compatible to adjacent land uses and **adverse effects** can be mitigated. The following additional principles shall apply to industrial uses:

(i) **Industrial Uses:** shall be directed away from residential uses.

(ii) An **Influence Area** as set out by the Ministry of the Environment, Conservation and Parks for Class I, II and III industrial uses shall apply between industrial uses and **sensitive land uses**

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(reciprocally) and shall be incorporated into the implementing Zoning By-law. **Sensitive land uses** shall not be permitted within the influence area unless it is clearly demonstrated that any **adverse effects** are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approvals have been obtained from the Ministry of the Environment, Conservation and Parks. The influence area shall be measured from the nearest point of the property line of an industrial use and the nearest point of the property boundary of the **sensitive land use**. The influence area for a Class I Industry shall be 70 m (230 ft.), a Class II Industry 300 m (984 ft.) and a Class III Industry shall be 1,000 m (3,820 ft.). Where deemed necessary, Council may require buffering or screening by means of fencing, landscaping or berm to reduce any **adverse effects** (see Section 3.3 – Buffering and Land Use Conflicts). Minimum separation distances shall be established in the implementing Zoning By-law for each industrial classification which are consistent with Ministry of the Environment, Conservation and Parks Guideline D-6, '*Compatibility Between Industrial Facilities and Sensitive Land Uses'.*

(iii) **Open storage** shall be appropriately screened from adjacent properties and any public street and Highway 7. (see Section 3.3 – Buffering and Land Use Conflicts);

(iv) The lot area shall be sufficiently large to accommodate the intended use including parking, on-site maneuvering of vehicles, loading, storage of materials and wastes, access by emergency vehicles and landscaping.

(v) Building coverage and height control standards will be set out in the implementing Zoning By-law. Building height shall not exceed the equivalent of four storeys or exceed the firefighting capability of the Township.

(vi) Services shall be evaluated to determine if they are adequate to meet the requirements for industrial development (e.g. on-site water and sewer) (see Section 3.17 - Water Supply and Sewage Disposal), waste management, fire protection and roads.

G. Site plan control shall apply in governing the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities and services, landscaping for any new commercial or industrial and for extensions to existing uses (see Section 6.9.10 - Site Plan Control);

H. Energy efficient and sustainable design will be promoted for all development. Council may establish performance standards through site plan control and other means;

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I. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development**.

4.5 Rural Recreational and Conservation Uses

4.5.1. Permitted Uses

A key attribute which can be used to encourage tourism -- particularly ecotourism -- is the natural beauty and significant natural heritage of the Canadian Shield within Central Frontenac. The Township intends to work with the business community to encourage this form of tourism, taking advantage of compatible features like the K&P Trail, provincial parks, and the future potential of the Highway 7 Parkway.

Recreation uses are permitted in all areas of the Rural Area designation and shall include such public and private recreation uses which are characterized by large areas of open space and which do not provide for permanent or seasonal residential facilities. Such uses include, but are not necessarily limited to, parks, playgrounds beaches, nature trails, the K&P trail, conservation areas and other similar uses available to the public. These shall be permitted in the Rural and Limited Service Residential Zone categories of the implementing Zoning By-law. Recreation uses are subject to the following principles.

4.5.2. Planning Principles

A. Buildings and structures incidental and accessory to the permitted **recreational** uses shall also be permitted and shall be designed to integrate visually and functionally, as much as possible, with the natural landscape;

B. **Recreational** uses, as defined above, shall be permitted anywhere within the designated Rural Area, provided that there will be no detrimental effects on adjacent uses, and they are appropriately zoned;

C. Adequate parking shall be provided in accordance with the provisions of the implementing Zoning By-law. Access points to parking areas shall be located so that no traffic hazard will be created;

D. **Development** of new land-oriented **recreational** facilities should be compatible with surrounding land uses;

E. Land-oriented recreational **development** shall be permitted in the Rural Zone category of the implementing Zoning By-law;

F. All rural **recreational** uses requiring servicing shall be located on a lot that can be adequately serviced with water supply and sewage disposal (see Section 3.17 - Water Supply and Sewage Disposal);

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G. Energy efficient and sustainable design will be promoted for all **development**. Council may establish performance standards through site plan control and other means; and

H. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development**.

4.6 Recreational Commercial Uses

4.6.1. Permitted Uses

Tourist Commercial uses shall include a range of commercial facilities that principally serve the tourist trade, such as lodging facilities, motels and resorts, recreation facilities, golf courses, parks and facilities related to boat traffic, such as marinas, docks and other services. 'Lodging facilities' shall be considered to include traditional lake resorts and also newer forms of smaller scale accommodation such as 'tiny cabins' or 'pods', 'backcountry huts', and similar rural accommodation uses**.**

Such tourist commercial uses do not include residential uses such as tenured housing oriented to short-term or seasonal occupancy (i.e. condominiums, fractional ownership and time-sharing facilities). Buildings or other items of historic interest, and institutional uses (such as museums and related facilities), shall also be permitted. (Note: Recreational Vehicle Parks and Campgrounds are governed by **Section 4.8)**.

4.6.2. Planning Principles

A. Tourist commercial uses should generally be located so that they are readily accessible to tourist traffic either by water or by road. In this regard, water access, as the sole or primary access, may be considered acceptable for seasonally operated uses only **(Section 4.3.2.C.** policies shall apply).

B. All tourist commercial uses requiring servicing shall be located on a lot that can be adequately serviced with water supply and sewage disposal (see Section 3.17 - Water Supply and Sewage Disposal);

C. Residential dwellings shall be permitted as accessory uses on tourist commercial properties for use by either the owner, operator or employees of such establishments;

D. In reviewing applications for tourist commercial **development,** Council should have regard to the protection of the natural environment, the open space character and the scenic qualities of the area. Tourist commercial uses located adjacent to a water body shall comply with Section 4.8 – Waterfront Area policies of this Plan;

E. Tourist commercial uses should be adequately buffered or screened by distance, sight and sound, from any nearby residential use (see Section 3.3 – Buffering and Land Use Conflicts);

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F. All tourist commercial uses will be placed in a separate category in the implementing Zoning By-law, unless such commercial uses are accessory to a main land use (e.g., farm operation);

G. Depending on the scale of the proposed use, size of the property, and location, Council may require site plan approval; and

H. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development**.

4.7 Recreational Vehicles and Recreational Vehicle Parks and Campgrounds

4.7.1. Purpose

The purpose of a Recreational Vehicle is to provide for a temporary living accommodation that is intended for seasonal use. Recreational vehicles are not permitted to be a substitute for a permanent residential dwelling.

4.7.2. Recreational Vehicle – Definition

Recreational Vehicles, which are also known as travel trailers, motor homes, campers and trailers are for the purposes of this Plan, defined as follows: means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for the living, sleeping or eating accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its running gear is removed.

For the purposes of this Plan, a recreational vehicle, as defined shall be considered to be a structure.

A recreational vehicle does not include a mobile home, park model trailer, or a manufactured home as defined in the *Planning Act* or as governed by the *Building* Code *Act.*

This definition does not apply to prevent the storage of boats, boat or vehicle trailers, personal water craft, snowmobiles, all-terrain vehicles (ATVs) or other **recreational** equipment normally stored or parked on a lot.

4.7.3. Recreational Vehicle Parks and Campgrounds

The intent of the Plan is to allow for the development of Recreational Vehicle Parks as a means to accommodating recreational vehicles. It is expected that these parks would be operated on a seasonal basis, (e.g., May–October) and closed during the winter months. The Plan allows for the over wintering or storage of recreational vehicles in these parks. Recreational Vehicle Parks shall for the purposes of this Plan, be understood to include a

campground for tents. Notwithstanding the provisions of this clause, short term occupancy of recreational vehicles during the period November to May will be permitted. Short-term occupancy may pertain, but is not limited to, weekends, Christmas and New Year's holidays and school breaks.

Recreational vehicles, as defined above, shall be permitted within a Recreational Vehicle Park or campground on land zoned for this purpose in the implementing Zoning By-law.

Where a number of new recreational vehicles are permitted, such as in a designated Recreational Vehicle Park and the aggregate sewage effluent discharge is greater than 10,000 liters per day, the approval of the Ministry of the Environment, Conservation and Parks shall be required as set out in the *Ontario Water Resources Act*. Communal services shall be the preferred means of servicing multiple units. (see also Section 3.17 – Water Supply and Sewage Disposal). This policy shall not be deemed to exempt any existing recreational vehicles from compliance with the *Building Code Act or Ontario Water Resources Act*, respectively, where a compliance order is issued.

Communal services shall be the preferred means of servicing multiple units.

4.7.5. Decks, Enclosures, Additions and Accessory Buildings and Structures

Decks may be permitted to be constructed in association with a recreational vehicle located in a RV Park or Campground provided they comply with the Zoning By-law and the *Building Code,* where the latter is applicable. Enclosures, roof-overs, extensions or additions to a recreational vehicle shall not be permitted unless such structures or construction has been specifically designed or pre-engineered for the recreational vehicle by the manufacturer or after-market manufacturer and are capable of being removed. No such structures shall be permitted which have the effect of rendering the recreational vehicle as a permanent structure or a permanent residential dwelling on a lot or site.

4.7.6. Development Criteria for Recreational Vehicle Parks and Campground

In considering applications for amendments to the Zoning By-law to zone an area for a new Recreational Vehicle Park or campground or the expansion of an existing Recreational Vehicle Park or campground, the Council shall, amongst other matters, give consideration to the following development criteria:

A. The type of facility proposed and what uses or facilities in addition to recreational vehicle sites are proposed (e.g., camping, picnicking, swimming);

B. The number of recreational vehicles and the duration of occupancy;

C. The location of the proposed site relative to the land use and other development policies in this Plan.

D. The appropriateness of the topography, soils and vegetative cover of the site relative to the proposed uses. Consideration will be given to the integration, conservation and

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sustainability of the use with respect to **natural heritage features and areas** and the ecology of the natural environment of the lot and adjacent properties. A base line inventory of the natural heritage features (found both on site, and within the vicinity of the site) may be a requirement. An Environmental Impact Study shall be required where applicable.

E. The compatibility of the proposed use with existing and anticipated surrounding uses. The setting for these parks should include recreation oriented amenities, (e.g., lake frontage, mature tree cover, proximity to wildlife, access to or proximity to **recreational** trails etc.) Buffering from adjacent land uses may be required;

F. The adequacy of existing or proposed roads to provide for traffic volumes and safe access for traffic and recreational vehicles to the site;

G. The proposed water supply and sewage disposal systems shall comply with Section 3.17 – Water Supply and Sewage Disposal of the Plan. Water usage and sewage disposal shall take into consideration provisions for shower, rest room and laundry facilities;

H. The adequacy of additional services to be provided such as hydro, telephone, etc.;

I. Any additional facilities or uses proposed to be included such as administrative facilities, comfort stations, laundry facilities, sewage pump-out facilities, **recreational** and commercial facilities primarily designed to service patrons of the Recreational Vehicle Park, docks and boat launching facilities etc. Generally, such uses shall be planned and developed as accessory uses to the park;

J. The adequacy of open space, parking facilities, buffering, storage etc.

K. The development plan prepared by the applicant shall illustrate the details of the layout of the proposed **development** including phasing and the ultimate plan. Applications will be encouraged to develop a business plan in support of a proposal for development;

L. The conservation of the water quality of any adjacent water body. A new recreational vehicle park shall be subject to the policies of Section 4.8 – Waterfront Area of this Plan;

M. On-site provisions for fire prevention and suppression;

N. Energy efficient and sustainable design will be promoted for all development. Council may establish performance standards through, site plan control and other means;

O. Accessibility by those with physical and other challenges will be considered in the review and approval of all **development;** and

P. The entering into of a Site Plan Control Agreement under the *Planning Act.*

4.7.7. Zoning

Provisions shall be made in the implementing Zoning By-law to regulate recreational vehicles and associated accessory uses and to set out the zone requirements for **development** (e.g. lot

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size, frontage, setbacks, height, parking, etc.). Generally, the setbacks for a recreational vehicle shall be comparable to setbacks for residential uses. Particular regard shall be had for conserving the shoreline of an abutting water body in its natural state by establishing setbacks for **development**.

4.8 Waterfront Area

4.8.1 Introduction

The Township is characterized by a landscape with many lakes and rivers. Water is an essential part of the culture of the community. The intent of this Plan is to ensure conservation, protection and enhancement of water resources.

For over a century the areas of Central Frontenac which abut or are adjacent to lakes and rivers have attracted significant interest as summer recreation areas. The cottages that were built during the 1950s to the 1980s were designed to be used solely as a secondary residence on a seasonal basis. Road access, where available, has generally been by private road. This form of development has a long tradition in the Township.

In recent years there have been pressures not just in the Township but in all of 'cottage country' to use waterfront properties on a more intensive, four season basis. As a consequence there has been a demand for the improvement and enlargement of existing dwellings and septic and water systems, the creation of new lots through the consent process, construction of larger new dwellings on vacant lots, and changes in occupancy from secondary or seasonal use to a principal or permanent use.

As undeveloped waterfront property becomes scarce, as existing properties become more intensively used, and as larger dwellings are proposed, there is a need to ensure that the Official Plan provides protection for the Township's waterfront area's unique physical and environmental character.

For the purpose of this Plan, Waterfront Area shall generally include all lands extending 150 metres (492 feet) from the ordinary high water mark of any water body. The policies of this section of the Plan are intended to govern development within 150m (492 feet) of these water bodies and islands with the intent to protect water quality, shoreline amenities and natural habitat areas.

It is Council's intent that the water quality of all water bodies in the Municipality will be maintained at their present level or enhanced. Any new development must be considered in light of its effect of its impact on the environmental quality of any lake or river and, in particular, the provisions of **Section 4.10.8. Lake Trout Lakes**.

The Waterfront Area designation describes shoreline development, which is located around lakes, rivers or headwaters in the Township. Permitted uses in this land use designation include low-density residential development, tourist commercial uses listed in Section 4.6, and

recreational vehicle parks and campground uses listed in Section 4.7. Accessory uses may include a sleep cabin or “bunkie” as a detached building or as a loft. Over a garage provided the cabin/loft. is not equipped with cooking facilities.

The shoreline area and water resources, which have attracted settlement, possess physically and environmentally sensitive areas. Water quality, wetlands, natural heritage, and habitat areas must be preserved and protected.

The application of the Waterfront Area designation must be flexible in order to respond to the varied terrain and development conditions within the Township. Generally, land that is on the shoreline or which physically or visually relates to the waterfront is included within this designation.

The Waterfront Area designation identifies and describes the overall low-density shoreline development, which is composed of residential, waterfront, commercial and open space uses, and is related to the recreational and aesthetic opportunities presented by a significant water resource.

The water resources and Waterfront Areas provide the major leisure and recreational opportunities, which benefit the Township.

The Waterfront Area designation also forms the primary basis of the tourism sector, and provides the basis for a strong Township’s economic base.

4.8.2 Definition

4.8.2.1 The Waterfront Area designation shall generally be defined as those lands extending inland 150 metres (492 feet). More specifically:

Lands which physically or functionally relate to the waterfront area, although extending beyond 150 metres (492 feet) from the waterbody, shall be deemed to be within the Waterfront designation.

Lands which do not physically or functionally relate to the waterfront area, although within 150 metres (492 feet) of the waterbody, shall be deemed not to be within the Waterfront designation.

4.8.2.2 For the purposes of Section 4.8.2.1, when determining whether lands physically or functionally relate to the waterfront, the following guidelines shall be considered:

A. the boundary shall be extended beyond 150 metres (492 feet) from the waterbody to encompass a significant natural or built feature;

B. where a road is between 150 metres (492 feet) and 195 metres (645 feet) of a waterbody, the road shall form the boundary;

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C. generally, small remnants of rural area surrounded by the waterfront designation shall be included in the Waterfront Area designation;

D. all islands shall be included in the Waterfront Area;

E. for farms, open space and golf courses, the boundary shall generally be 150 metres (492 feet) from the waterbody;

F. portions of resort properties and recreational vehicle parks and campground uses beyond 150 metres (492 feet) from the waterbody shall be included in the Waterfront Area designation; and,

G. the Waterfront Area designation shall be outside the limits of Settlement Area designations.

4.8.2.3 Recognizing that the Waterfront Area boundaries should be flexible in order to recognize the varied terrain and development conditions within the Township, the precise limits of the Waterfront Area designation shall be defined and illustrated in an implementing comprehensive zoning by-law and confirmed by a site visit where necessary. **For clarity, no 'Waterfront Area' designation is illustrated on the Land Use Schedule; rather, lands adjacent to Waterfront Areas will in most cases have a 'Rural' or 'Environmental Protection' designation.**

4.8.2.4 Lands that form the bed of any waterbody defined above shall be considered part of the Waterfront Area. The Township may apply zoning regulations to any of the waterbodies within its jurisdiction.

4.8.3 Basis and Principles

The following principles will apply to growth and development within the Waterfront Area designation:

A. The Waterfront Area of the Township is an important resource, which will be protected. The waterfront setting consists of open space and low density residential land uses on mainland and island shorelines; interspersed with some commercial development, primarily resorts; set among a landscape of natural vegetation. This character is recognized and all development shall recognize this character.

B. The Waterfront Area is a unique resource and asset. On this basis, development – including lot creation – should take place only aft.er careful consideration of those recreational, environmental, socio-economic, and aesthetic qualities which contribute to the attraction of the waterfront and shared enjoyment of its lakes and rivers.

C. Development should be promoted in locations where demands on public services will be minimized, and where this development will most effectively utilize – or help pay for – existing services.

D. Limiting the density of buildings and structures in the Waterfront Area is an important part in protecting the character of the lakes and rivers in Central Frontenac. Many factors affect waterfront character such as the number of structures, setbacks, shoreline vegetative buffers, height, size and form of buildings, size and location of shoreline structures, and the historic development of a particular lake or river. A strong vision through the policies in this Plan to limit density related to these factors is fundamental.

E. The integrity of the natural environment, landscape, shorelines and water quality will be protected.

F. Natural and cultural heritage, and habitat, will be preserved.

G. The water resources of the Township will continue to be accessible to both private and public users to protect public access to our waterfronts on lakes and rivers.

H. Shoreline alterations shall require approval by the Municipality and/or appropriate agency (Conservation Authority; Ministry of Natural Resources and Forestry; Canada Fisheries and Oceans).

4.8.3 Goals

Goals of the Waterfront policies are as follows:

A. To protect the character of the waterfront in recognition of the different character of individual lakes.

B. To retain and promote the Waterfront's unique recreational character within the context of primarily a single-tier of development.

C. To ensure that development is suited to its site and that appropriate access and services are provided.

D. To encourage optimal growth while taking into consideration the lake system health of the Township's lakes and rivers.

E. To preserve and enhance the high quality of the recreational and biological aspects of the Waterfront.

F. To ensure growth is compatible with and has regard for the overall physical, environmental, social, and economic aspects of the waterfront.

G. To encourage the redevelopment and expansion of commercial businesses such as resorts and to recognize their important economic function.

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4.8.5 Objectives

Objectives of the Waterfront Area policies are as follows:

Character

A. To recognize and protect the character of waterbodies within a single-tier of development around the shoreline with limited, low density backlot development where access permits.

B. To ensure that built form does not become concentrated or dominate the Waterfront to the detriment of natural form.

C. To maintain or restore the majority of all developed and undeveloped shorelines in their natural state and promote stewardship of their biological benefits.

D. To work with Frontenac County and Provincial agencies to develop a process to identify the character of individual lakes through a classification system and assign appropriate limitations in an attempt to protect this character.

Access and Servicing

E. To ensure that access is provided to all new lots to a standard appropriate to the situation.

F. To promote the waterways as a major recreational asset that should be made accessible to both public and private users.

G. To ensure that development does not unduly contribute to a demand for utilities or services which are uneconomical to provide, improve, or maintain.

H. To encourage public trail systems which provide recreational opportunities and link the waterfront to other areas of the Township.

Natural Areas

I. To maintain a high level of biodiversity by protecting natural areas and the connections between them.

J. To ensure that the environment is protected from negative impacts of development.

K. To protect and, where possible, enhance water quality.

Development

L. To encourage development which will contribute to the attraction and viability of the Waterfront for visitors and residents.

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M. To support the continued viability of resorts, campgrounds, other commercial uses, and residential uses as important elements in the Central Frontenac economy.

N. To control development on the waterfront such that it does not dominate the natural shoreline.

O. To support redevelopment opportunities of waterfront properties while maintaining the character of the waterfront area.

P. To protect and preserve the cultural heritage and archaeology resources in the waterfront area.

Q. To promote healthy and active communities by planning for public spaces, parks, public access to water, trails, and open space.

R. To ensure all lighting of properties is respectful of neighbours, the environment, navigation and the dark sky.

S. To ensure development of undersized existing lots of record is compatible with development in the area.

4.8.6 General Development Policies

Character

A. The Waterfront Area character differentiates the waterfront area from the rural setting of Central Frontenac. Waterfront character is linked to the natural and built form which is oriented toward the lakes and rivers in the Township. Natural form includes predominantly vegetated and forested shorelines with thin soils over the bedrock of the Canadian Shield. Built form includes mostly residential development interspersed with some commercial development, primarily resorts and campgrounds. The Waterfront Area is the focus for recreation, relaxation, water supply, and support for fisheries and wildlife habitat, among others. Where development occurs in the Waterfront Area, it should enhance and protect, where possible, those qualities that contribute to character.

B. Natural form should dominate the character of the Waterfront. Natural shorelines may visually screen development viewed from the water and buffer uses. Shorelines shall be encouraged to be maintained in a predominantly natural state with tree cover and ground vegetation retained as development occurs.

C. Waterfront character evolves over time. Traditionally, tourist commercial in the form of cottage resorts as well as residential development has contributed to the character and economic viability of the Central Frontenac. Resorts shall be encouraged to develop and expand in a manner that complements the Township.

D. Where development occurs in the Waterfront, it should complement the natural and built form and should enhance and protect those qualities that contribute to character.

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Permitted Uses

E. Permitted uses in areas designated as Waterfront Area are limited to the following:

(i) residential uses, which shall be limited to low-density residential development, limited service residential development;

(ii) commercial uses including: resorts, marinas, tent and trailer parks as listed in Section 4.7;

(iii) open space uses including parks and recreational uses;

(iv) public uses;

(v) accessory structures and buildings to the above-noted uses; and,

(vi) existing development as defined in an implementing comprehensive zoning by-law.

General Development Standards

F. Waterfront lots should be of sufficient dimension and size to accommodate the use proposed, related structures, and services within acceptable standards. As such, a variety of lot sizes, water frontages, setbacks, and structural limitations are expected in recognition of the natural and built influences in the Waterfront Area. Lots shall be properly proportioned (e.g., have sufficient depth) to accommodate the safe installation of a sewage disposal system. The topography and slope of lots should be conducive to development. Preference will be given in new lot creation to lands with a slope of 6% or less and with a soil mantle exceeding 0.5 metre (1.64 feet) or more in depth. Development on lands which are substantially bare bedrock, swampy, or low lying will be discouraged or prohibited.

G. All major development and redevelopment shall be subject to site plan control including all commercial, industrial and institutional uses, as more specifically described in an implementing site plan control by-law.

H. Waterfront Area Lot Size

The following shall constitute minimum lot requirements, unless otherwise specified:

(i) a lot area of 0.8 hectares (2 acres); and,

(ii) a water frontage of 77 metres (250 feet).

I. Shoreline Setbacks

The front yard setbacks, as detailed in an implementing comprehensive zoning by-law, are established in recognition of:

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(i) Requirement of a shoreline vegetative buffer;

(ii) Minimizing the dominance of the built form on the natural environment;

(iii) Maintenance of privacy and noise attenuation especially on properties fronting onto a narrow waterbody;

(iv) Maintenance of aesthetic qualities of the waterfront; and;

(v) Protection of natural habitat and minimizing environmental impact in the foreshore area.

J. Building Setbacks

Land based buildings and structures (unless otherwise specified in the Plan) shall be located a minimum of 30 metres (100 feet) from the normal or controlled high water mark of a waterbody with the exception of the following:

(i) Minor accessory building or structures or marine related facilities, which shall be located as detailed in the implementing comprehensive zoning by-law;

(ii) Septic tile bed which shall not be permitted within 30 metres (100 feet) of the waterbody;

(iii) existing development as defined in an implementing zoning by-law;

(iv) where lake-specific or site-specific conditions suggest that it would be appropriate, the minimum water setback may be increased. Examples may include sites with steep slopes, limited soil depth, or limited vegetative cover; and

(v) Consideration shall be given in the implementing zoning by-law to the establishment of a maximum floor space index within 60 metres (200 feet) of the high water mark to ensure no large structures are built near the shoreline.

K. Sideyard Setbacks

Sideyard setbacks shall be established in an implementing comprehensive zoning by-law in recognition of the following:

(i) in the case of land structures, to maintain a natural area between buildings so as to reduce the dominance of the built form on the natural environment, maintain privacy, attenuate noise, connect habitat, ensure compatibility, and contribute to the aesthetic qualities of the waterfront;

(ii) in the case of shoreline structures, to allow for the ingress and egress of boats to dock spaces and boathouse slips, while maintaining reasonable views and separation for privacy between neighbouring properties; and

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(iii) consideration may be given to alternatives where such setbacks are not possible due to terrain or other constraints.

L. Narrow Channel Policies and Shallow Waters

The confined nature of narrow channels can result in safety and compatibility issues for boaters and landowners. For the purposes of this Plan, a narrow channel is defined as a waterbody (or part of a waterbody) where the distance from shore to shore is 150 metres or less.

New lot creation on narrow channels will be permitted in accordance with the following:

(i) Where the distance of the narrow channel from shore to shore is 90 metres or greater, a minimum shoreline of 90 metres is required (rather than the 77 metres normally required).

(ii) Where the distance of the narrow channel from shore to shore is less than 90 metres, a minimum shoreline frontage of 120 metres will be required.

M. Council may consider the implementation of a Tree Preservation By-law in waterfront areas and any development or redevelopment of this area may be permitted in accordance with the By-law.

N. Redevelopment of existing properties shall be encouraged to follow current development standards, as closely as possible, to be compatible with and consistent with sound planning principles including environmental considerations. In addition, encouragement shall be given to restoring and preserving natural shorelines.

O. The preparation of an Environmental Impact Study (EIS) shall be required for all major development in waterfront areas.

P. Aggregate operations shall not be permitted in the Waterfront Area designation.

Water Access Development

Q. Due to concerns of character, visual impact, environmental impact, access, and service provision, islands must be a minimum of 0.8 hectares (2 acres) to be developed for residential purposes as established in the comprehensive zoning by-law. Islands less than 0.8 hectares in size shall be limited to a picnic shelter and a dock.

R. Where the Township is considering a development proposal for an island slightly less than 0.8 hectares (2 acres) in size, the following matters shall be examined in an Environmental Impact Study accompanying a Zoning By-law Amendment application:

(i) retention of tree cover;

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(ii) protection of critical fish and wildlife habitat;

(iii) adequate soil depth and site suitability for a septic system;

(iv) satisfactory long term access and service delivery; and,

(v) modest visual impact and appropriate location of building envelopes.

Access

S. Access to waterfront area development that is not on public roads shall be subject to the Private Roads policies set out in Section 5.3.

Servicing

T. It is anticipated that the Waterfront Area will generally be serviced by private individual on-site sewage and water systems. There may be opportunities for communal services for waterfront development by Plan of Subdivision or Condominium.

U. Hydrogeological reports satisfactory to the Township and Conservation Authority or Ministry of Environment, Conservation and Parks may be required to support any proposal on private servicing systems where:

(i) more than four residential lots are proposed;

(ii) construction of a new road(s) is proposed;

(iii) there are areas of known or suspect water quantity or quality; or

(iv) for commercial or other uses which would produce an effluent flow of greater than 4,500 litres per day.

Visual, Scenic and Aesthetic Qualities

V. The preservation and protection of the appearance of the shoreline in a natural vegetated state shall be encouraged.

W. Private roads serving waterfront lots are encouraged to blend in with the waterfront setting and terrain, taking into account slope, tree cover, alignment, and road surface, and the policies of the Private Roads **Section 5.3** of this Plan.

X. Development shall be located and designed so as to protect the character and prominence of public views and features including such areas as rock cliffs, waterfalls, and landmarks. Where development is proposed in such areas, encouragement shall be given to the dedication or acquisition of such lands for the purposes of conservation, public access, trails, and/or portages.

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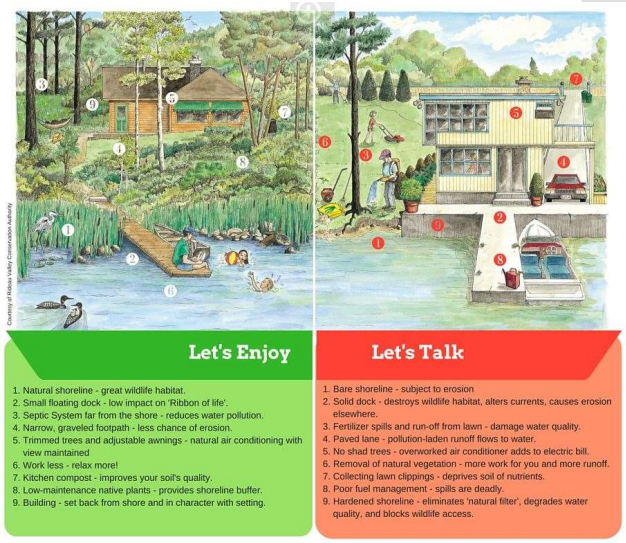
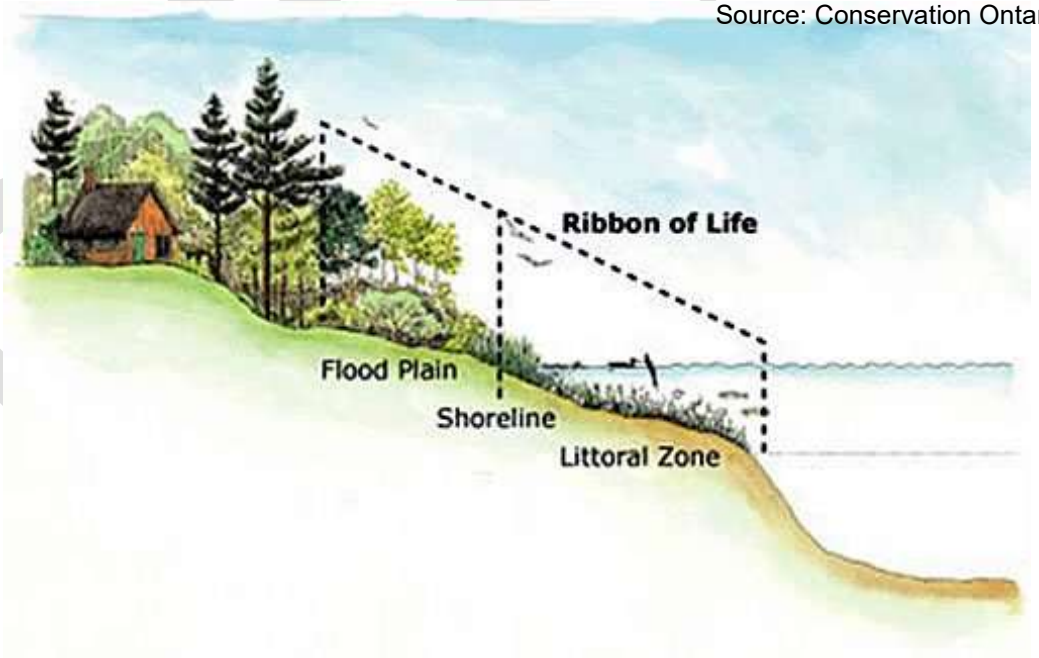
Y. The retention of trees and native vegetation shall be encouraged through site plan control or municipal development agreement to uphold the visual and environmental integrity of the Waterfront Area. Where development is proposed, a natural undisturbed buffer is required at the water's edge to generally meet a target of 15 metres (50 feet) in depth from the high water mark. Where little or no natural buffer exists, re-naturalizing will be required, where possible. Minor accessory structures and an access pathway to the shoreline are permitted.


Let's Enjoy
1. Natural shoreline - great wildlife habitat.
2. Small floating dock - low impact on 'Ribbon of life'.
3. Septic System far from the shore - reduces water pollution.
4. Narrow, graveled footpath - less chance of erosion.
5. Trimmed trees and adjustable awnings - natural air conditioning with view maintained
6. Work less - relax more!
7. Kitchen compost - improves your soil's quality.
8. Low-maintenance native plants - provides shoreline buffer.
9. Building - set back from shore and in character with setting.
Let's Talk
1. Bare shoreline - subject to erosion
2. Solid dock - destroys wildlife habitat, alters currents, causes erosion elsewhere.
3. Fertilizer spills and run-off from lawn - damage water quality.
4. Paved lane - pollution-laden runoff flows to water.
5. No shad trees - overworked air conditioner adds to electric bill.
6. Removal of natural vegetation - more work for you and more runoff.
7. Collecting lawn clippings - deprives soil of nutrients.
8. Poor fuel management - spills are deadly.
9. Hardened shoreline - eliminates 'natural filter', degrades water quality, and blocks wildlife access.

Waterfront Best Practices
Source: Conservation Ontario



Ribbon of Life
Source: Conservation Ontario

Shoreline Structures

The regulations of the Zoning By-law shall apply to shoreline structures abutting any lake or water body. All shoreline structures and activity areas shall require Municipal approval prior to commencing any work. Other government agency approvals may also be required, such as the local Conservation Authority.

Shoreline structures are permitted only for uses which by their nature need to be located near the shoreline, such as docks, single storey boathouses, marine storage sheds, viewing decks and gazebos and do not include sleeping cabins, bunkies or large storage structures.

With the exception of docks and boathouses which extend into the water, all shoreline structures shall be constructed within the confines of the property boundaries of a lot.

Interior finishing or occupancy of any portion of a boathouse or any other permitted shoreline structure for use or occupancy as a dwelling shall not be permitted.

Construction of a second storey addition for any shoreline structure shall not be permitted.

Shoreline structures may be permitted in a front yard on lots having water frontage provided that such uses meet appropriate zoning standards and appropriate Conservation Authority regulations and standards, where applicable.

4.8.7 Lake System Health

A. Limits to development on lakes may be based on social, physical, biological and other measures of capacity. The Township will work with Frontenac County, the Ministry of Environment and Climate Change, the Ministry of Natural Resources and Forestry, Conservation Authorities, lake associations, and other agencies and qualified volunteer groups to develop a long term plan for comprehensive lake planning.

B. The Township will encourage and support lake associations to conduct lake stewardship planning. Township Council shall have regard to any such lake plans as part of the information to be considered on planning decisions respecting development or redevelopment on a lake.

C. The overall health of most lakes and rivers in Central Frontenac can be considered to be very good to excellent. From a planning perspective a cautious approach to development in the Township will be taken in order to protect these waterbodies. In this regard, new lot creation, development or redevelopment should only be permitted where it is determined that phosphorus impacts on water quality can be effectively eliminated.

D. The role of natural vegetated shorelines in buffering waterbodies from erosion, siltation and nutrient migration adjacent to the sensitive littoral zone is critical to the protection of water quality. Preservation and restoration, where appropriate, of shoreline buffers is therefore necessary. The frontage of a lot will be maintained in a natural state to a target depth of 15 metres (50 feet) from the shoreline where new lots are being created

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and where vacant lots are being developed. Where lots are already developed and further development or redevelopment is proposed, these targets should be achieved to the extent feasible. Where these targets cannot be met, a net improvement over the existing situation is required.

E. Construction mitigation measures, storm water management, or other techniques shall be used to minimize negative impacts on water quality.

Site Plan Control / Municipal Development Agreements

F. Where site plan control or a development agreement is required as part of a planning approval, or where on-site phosphorus management is required, the following matters may be addressed:

(i) appropriate location of buildings, structures and sewage disposal systems;

(ii) retention or restoration of a natural vegetative buffer to prevent erosion, siltation and nutrient migration;

(iii) maintenance or establishment of native tree cover and vegetation on the lot wherever possible;

(iv) appropriate location and construction of roads, driveways and pathways, including use of permeable materials; and

(v) implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits and other measures to promote infiltration.

G. Council shall consider the implementation of a Community Planning Permit System as a planning tool to enhance waterfront protection.

4.8.8 Lake Trout Lakes

Lakes which have suitable quality of water to be managed for lake trout are a limited and non-renewable resource and thus the protection of this resource is an objective of this Plan, in view of the recreational and tourist nature of the area. Lakes presently managed for lake trout are indicated on the **Land Use Schedule** and have been classified as having high or moderate sensitivity. The following development policies shall apply to lands abutting these lakes, in addition to any other policies outlined in this Plan:

A. **Trout Lakes at Capacity**

The lake trout lakes included in this category (**see Section A xii below for list**) are extremely sensitive to development. The following policies shall apply to all lot creation or site alterations undertaken on or within 300

metres (984 feet) of an identified at capacity lake trout lake. **Development** will be prohibited on lands adjacent to a water body where the water body has reached or may reach its development capacity except where one or more of the following conditions exists:

i. The tile fields on each new lot are set back at least 300 metres [984 feet] from the shoreline of the lake or such that the drainage from the tile fields would flow at least 300 metres [984 feet] into the lake;

ii. The tile fields on each new lot are located such that it would drain into the drainage basin of another water body which is not at capacity;

iii. ~~The proposed new use complies with the underlying land use designation;~~

iv. To separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and that there would be no increase in phosphorus loading to the lake;

v. The proposed new use has a scale and density that is less than currently exists on the site, and shall demonstrate a net reduction of the phosphorus loading on the lake. Prior to any redevelopment being approved, an Environmental Impact Study (EIS) shall be undertaken by a qualified person and completed to the satisfaction of the Municipality, the Conservation Authority and the Ministries of Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry, respectively. The EIS shall consider and provide recommendations on such matters as hydrogeology, soil types or overburden, vegetation, topography and slope, the location of existing and proposed land uses and a comparison of pre and post **development** nutrient loadings on the adjacent water body(ies);

An Official Plan amendment may be required to provide for the creation of any new lots and shall be required for Plans of Subdivisions or multiple Consents proposed on lands not ~~designated as~~ **within the** Waterfront Area and which are proposed within 300m (984 ft.) of any at capacity lake;

vi. Existing lots of record and lots in existing and approved Plans of Subdivision may be developed under strict conditions where a proponent can demonstrate there will be no impacts on lake water quality;

vii. The sewage disposal system intended for use on existing lots of record and lots in existing and approved Plans of Subdivision shall be set back a minimum of 30 metres (98.4 feet) from the shoreline;

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ix. No more than one single detached dwelling unit together with accessory buildings shall be permitted on any existing lot of record or on a lot in an existing and approved Plan of Subdivision;

x. On existing lots of record and lots in existing and approved Plans of Subdivision, consideration may be given to slight reductions to the minimum setback, only if it is not physically possible or is not environmentally desirable to meet this requirement and it can be demonstrated that there will be no negative impacts on fish habitat;

xi. Applications for Minor Variances to the Zoning setbacks established for at capacity lake trout lakes may be required to be supported by an Environmental Impact Assessment prepared in accordance with this Plan depending on the extent and impact of the proposal;

xii. The provisions of **Section 4.7.6.Z** regarding shoreline activity areas and the maintenance of the natural shoreline buffer shall apply;

xiii. At capacity lake trout lakes are indicated on the Schedules to this Plan with a symbol and include the following lakes:

- Sharbot Lake (West Basin)
- Hungry Lake
- Silver Lake
- Crow Lake
- Eagle Lake

xiv. Should **any additional** lake trout lakes be determined to be at capacity **by the Province that are not specifically listed in this Plan**, the policies of Section 4.8.7A shall apply to the lake without an amendment to this Plan.

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4.8.9 Waterfront – Special Policy Area 1 – Garrison Shores

A. Scope

The community known as Garrison Shores and administered by a corporate body is a waterfront recreational/residential area characterized by a series of development clusters bordering the shoreline of Garrison Lake.

The intent of the Plan is to provide for the administration of Garrison Shores as a Vacant Land Condominium administered, in turn, by a Vacant Land Condominium Corporation. Under this corporate structure, the intent is to provide for up to 53 “Standard Units” with individual ownership coupled with common elements shared by all owners. Owners of a standard unit (parcel of land) would be responsible for the maintenance of on-site sewage and water services for their respective units.

B. Permitted Uses

Permitted uses within the Waterfront – Special Policy Area 1 shall be limited to existing or new recreational/residential uses and to conversions. Recreational/residential uses include seasonal residential dwellings (i.e. cottages, permanent or year-round residential uses, recreational vehicles and private campsites).

Accessory uses to permitted uses shall be limited to a gazebo, utility or storage shed, deck or viewing area and a detached garage.

A communal dock (i.e. servicing two or more recreational/residential units) shall be permitted. For units or parcels having direct shoreline frontage, a single dock per unit shall be permitted where the unit does not share in a communal dock. Any permitted dock shall comply with **Section 3.14** of this Plan and any governing zoning or site plan control provisions.

Lands may also be used for open space or conservation uses.

Development or redevelopment of any permitted use is subject to the criteria set out below for the Waterfront – Special Policy Area 1

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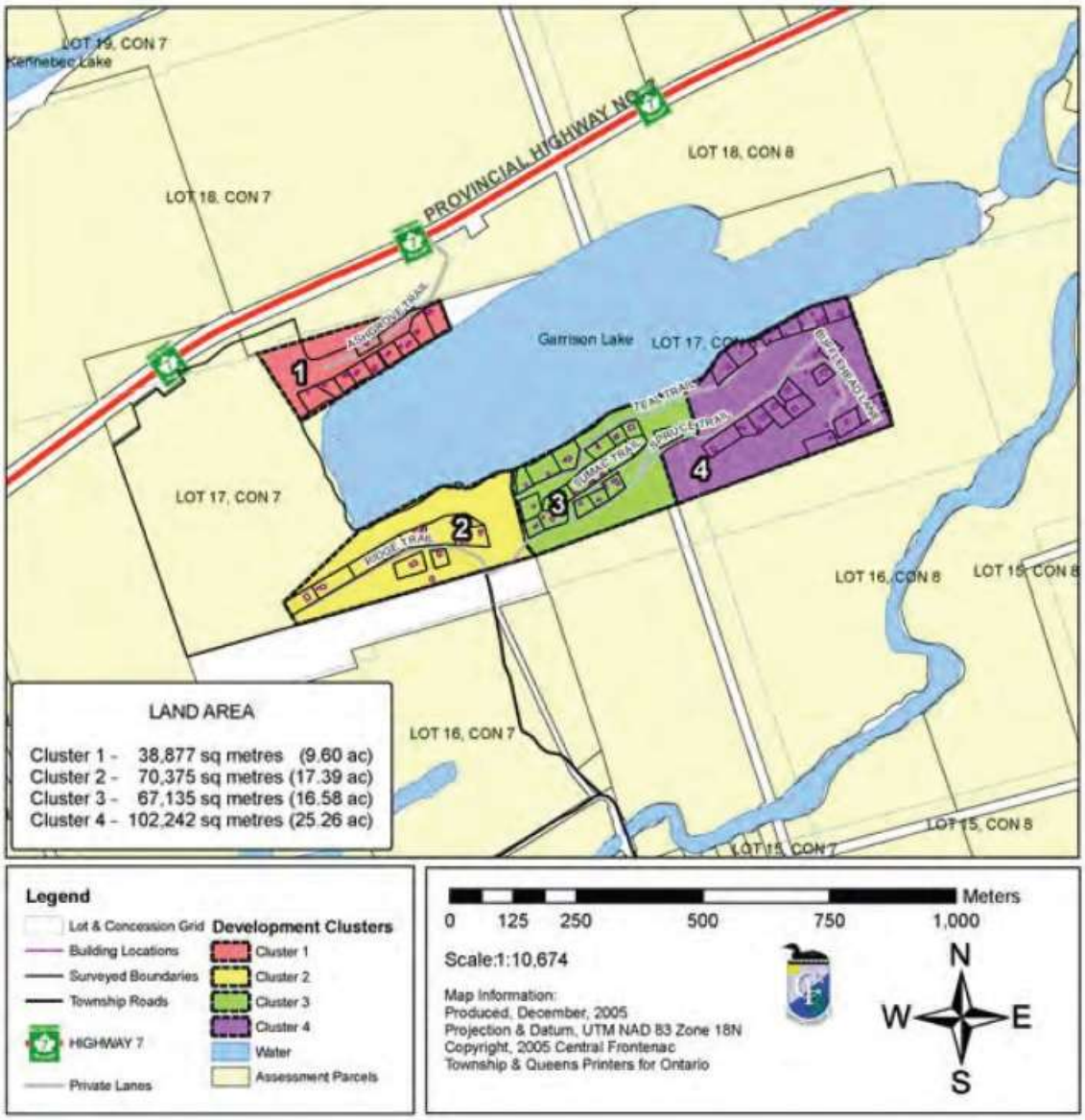
AMENDMENT NUMBER 2 TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF

CENTRAL FRONTENAC

SCHEDULE "B"

Garrison Shores: Land Area for Selected Development Clusters



C. Development Clusters

For the purposes of this Plan, four development clusters are hereby established. Each development cluster is intended to recognize an area where a specified density of development is permitted and where specific standards for sewage and water services shall apply. Table 1 sets out the maximum development density and number of residential/recreational units permitted within each cluster as well as the maximum overall number of units. A recreational/residential unit is defined as a parcel or area of land devoted to a single residential dwelling or recreational use including accessory uses. This may include the sewage and water services associated with an individual unit. The boundary of each of the respective development clusters is set out on Schedule B.

These boundaries shall not be altered where the effect would be to increase the prescribed development density or number of units.

Lands which are not included in a development cluster shall be left. in their natural state as open space and zoned to prohibit development.

(Table 1 -- Development Cluster Standards)

Table 1 - Development Cluster Standards

Cluster #	Maximum No. Recreational/Residential Units	Maximum Density
1	10	0.4 ha (0.98 ac.)/unit
2	10	0.7 ha (1.7 ac.)/unit
3	16	0.4 ha (0.98 ac.)/unit
4	17	0.6 ha (1.48 ac.)/unit
The Total Number of Recreational/Residential Units for Garrison Shores shall not exceed 53. A single recreational based use shall mean a maximum of one recreational vehicle on a unit/lot.		

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D. Sewage and Water Services

The intent of this Plan is to provide for the progressive improvement of sewage and water services for existing development and to ensure that no new development is permitted unless it is clearly demonstrated that the site conditions for sewage and water services are suitable for the long-term provision of such services. Sewage and water systems may include individual on-site services or private communal sewage and water service systems or a mix of both types of systems.

Prior to the approval of any of the following development or redevelopment applications, the procedures set out in Guidelines D-5-4 and D-5-5 of the Ministry of the Environment, Conservation and Parks shall be satisfied in terms of water supply and impact assessment. A planning application shall be supported by a report that addresses the requirements of the Guidelines. In addition, Council may use the provisions of the Safe Drinking Water Act, the Clean Water Act or any other applicable legislation to ensure that malfunctioning sewage disposal systems are rectified and that water wells are properly maintained. Planning applications requiring an assessment include:

- An application to develop a vacant unit or parcel for a residential dwelling or recreational vehicle;
- An application to expand an existing recreational/residential use that creates the demand for water or sewage disposal (i.e. adding a bedroom);
- An application to convert a seasonal dwelling to a permanent year-round dwelling;
- An application to install a new water and/or sewage disposal system even if there is no change to the principal use; and
- An application to change an existing use from a recreational vehicle to a residential dwelling.

The assessment of sewage and water services shall apply to a specific development cluster, except where in the opinion of a qualified professional, consideration has to be given to lands within an adjacent development cluster. Any subsequent applications shall take into consideration the findings and recommendations of a previous assessment.

Sewage disposal systems and water wells may be located outside of a prescribed Recreational/Residential Unit where permitted by the Condominium declaration, provided the overall density of the Development Cluster for which the service is provided is not exceeded.

In no case, will development or redevelopment be permitted which is not environmentally sustainable nor which exceeds the density standards for a development cluster.

The performance of sewage disposal systems may be monitored by Council through a septic tank re-inspection program to ensure that systems are properly maintained. Council

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will require that property owners and/or the condominium corporation make provision with a licensed sewage hauler for the pump-out of septic tanks on a regular basis.

E. Development Setbacks and Separation Distances

For the purposes of the Waterfront – Special Policy Area 1, the following development setbacks shall apply:

- Minimum distance (setback) from the shoreline (high water mark) to any main building or recreational vehicle – 20 metres (65.5 feet);
- Minimum distance (setback) from any shoreline (high water mark) to any filter bed or tile field of any approved sewage disposal system – 20 metres (65.6 feet);
- Minimum distance (setback) from any shoreline (high water mark) to any accessory building or structure (dock or wharf excluded) – 15 metres (49.2 feet);
- Minimum separation distance between a sewage disposal system and a water well shall be as set out in the *Building Code Act* or as prescribed in a hydrogeological report, whichever is greater;

- No further encroachment of any existing building or structure into any of the above setbacks shall be permitted. Development may be permitted for extensions to existing buildings or for accessory uses which otherwise meet the prescribed zoning standards and the holding provisions of this Plan **(see Zoning and Site Plan Control).**

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F. Natural Vegetation and Vegetation Buffer

The intent of the Official Plan is to provide for the conservation of existing natural vegetation cover wherever possible. Tree cutting and/or reforestation may be regulated through site plan control or a tree cutting bylaw. Council will encourage property owners to seek professional advice in establishing the building envelope for new development in order to minimize the cutting of mature trees.

G. Private Lanes

Council may require the upgrading of one or more lanes within Garrison Shores to an acceptable standard prior to any approval and the provisions of **Section 5.4** of this Plan shall apply.

H. Zoning

Council shall place the lands in Garrison Shores into a Holding Zone as a means to control development and redevelopment.

The provisions of Section 6.9.7 of this Plan shall apply to all development or redevelopment. Council may remove the holding zone for part or all of the lands based on the fulfillment of conditions as deemed warranted. Despite this provision, development may be permitted without an amendment to the holding provision for an extension to an existing building or structure or for an accessory building which does not create the demand for new water or sewage services and which would otherwise meet the zone standards.

The zoning by-law shall be amended to set out appropriate standards for development densities, setbacks and any other standard required ensuring sustainable development.

Site plan control shall be used for all individual units fronting on Garrison Lake in order to regulate the details of site development. Site plan control may also be used for development clusters of individual units which do not front directly on Garrison Lake in order to regulate details of site development. Council may also use the sustainability design elements (set out in Section 41(4) of the *Planning Act*), in the application of site plan control.

I. Condominium Management

Garrison Shores shall be developed only in accordance with the provisions of the *Condominium Act, 1998*, governing vacant land condominiums. Development by consent will not be permitted. Any condominium declaration shall stipulate, in addition to any other provisions, that owners, their heirs or successors or purchasers shall be advised that development or redevelopment may be restricted or prohibited because of limitations to water quantity, water quality and the suitability of lands for sewage disposal systems. The declaration shall prescribe the responsibilities for water and sewage systems maintenance including provisions for septic tank pump-outs. The declaration shall also stipulate that

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development is subject to site plan control or other measures designed to conserve shorelines and woodland areas in their natural state.

4.8.10 Waterfront – Special Policy Area 2 – White Lake and Provincial Fish Culture Station

A. Background

White Lake is located immediately north of Highway 7 and approximately 8 kilometres west of Sharbot Lake. 213 metres above sea level with a lake perimeter of 8.1 kilometres, and the deepest point 29.6 metres. The lake is spring fed and no major surface water bodies drain into the lake. The Ministry of Natural Resources and Forestry (MNRF) operates a fish culture station at the south end of White Lake.

The fish culture station has been in operation since 1933. White Lake is the sole source of water for the station, and the lake water is gravity fed to the station through both a surface and deep water pipe. The lake is classified as a warm water lake, and MNRF stocks fish such as Walleye, Northern Pike, Yellow Perch, and Small and Largemouth Bass. No fishing is permitted on the lake due to its Provincial status as a fish sanctuary.

The high quality of the lake water enables MNRF to have a wide variety of species to be cultured under ideal temperature and rearing conditions. The station supplies rehabilitative and hatchery dependent fisheries for Lake Ontario and hundreds of inland lakes.

As part of the effort to protect the lake water quality MNRF has acquired additional lands since its opening in 1933, and now owns more than 243 hectares (600 acres) along the southern end of White Lake. The remainder of lands around the lake are privately owned, including a grouping of cottages located along the northern shore.

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B. Policies

Township Council acknowledges that the operation of the MNRF Fish Culture station has significant provincial interest. White Lake has been certified as a fish sanctuary as set out in *Ontario Fishing Regulations (2007)* and prohibits fishing on the lake at all times. It is the intent of the Plan to recognize this fish sanctuary status.

White Lake
Source: Frontenac Maps

White Lake Fish Culture Station Sign
Source: Photo by. J Gallivan

White Lake Fish Culture Station Aerial
Source: Frontenac Maps

The Township will develop land use controls to minimize additional activity on the lake. On this basis the Township will apply zoning along the White Lake waterfront to significantly reduce the impact of new residential development.

To provide greater protection to the water quality of White Lake, larger lot sizes, larger lot frontage and reduced permitted uses shall be required within 150 meters of the high water mark of White Lake. The implementing bylaw shall set the minimum area for new lot creation at 1.6 hectares (4 acres) with a minimum of 91 meters (300 feet) of frontage along White Lake. Uses shall be limited to residential uses with appropriate accessory structures; agricultural uses shall be permitted, excluding livestock facilities.

~~The following provisions shall be included in zoning regulations for White Lake waterfront properties:~~

~~(a) Permitted Uses~~
- ~~a. Dwelling~~
- ~~b. Garage~~
- ~~c. Accessory uses, buildings and structures, specifically:~~
  - ~~i. Sleep cabin; and~~
  - ~~ii. Gazebo.~~

~~(b) Zone Requirements~~
- ~~a. Minimum lot area not less than 1.6 hectare (4 acres);~~
- ~~b. Minimum waterfrontage not less than 91 metres (300 feet);~~
- ~~c. Zone standards that will limit the size and bulk of accessory buildings; and~~
- ~~d. Prohibition livestock facilities near the lake in order to restrict phosphorus draining into the lake and affecting water quality.~~

Development, including the creation of a new lot, a change in land use or the construction of buildings and structures requiring approval under the *Planning Act*, shall be supported by an environmental impact assessment completed by a qualified professional that shall include the requirements of Section 4.10.2.F of this Plan.

New Lots

New lots created through the consent or plan of subdivision process shall be a sufficient size to ensure that the new lot and retained lands can accommodate the proposed use with no decrease to the 30 metre water setback. Dependent on existing constraints (topography, soil conditions) and to ensure protection of water quality and fish habitat, enhanced provisions may be required to be implemented through a zoning bylaw amendment (e.g. enhanced setback, restriction of shoreline structures, reduced lot coverage). The study should identify if enhanced provisions are required.

Existing Lots of Record

Development or redevelopment on existing lots of record that require approvals under the *Planning Act* or to support a change in use (e.g. minor variance, zoning bylaw amendment), shall be accompanied by an environmental impact assessment. The study shall identify existing constraints (lot size, topographical constraints), identify appropriate envelopes for dwelling and septic as far back from the high water mark as is reasonably possible and suggest appropriateness of building size (envelope) for the deficient subject lot. The study shall identify mitigation measures and enhanced provisions necessary to ensure the protection of water quality and natural heritage system (e.g. restriction of shoreline structures, reduced lot coverage); this may be implemented through a zoning bylaw amendment.

The Township will consult with the Ministry of Natural Resources and Forestry (MNRF) with respect to 'best practices' to protect the water quality of the lake. Council may also consult with MNRF, the public, and the Algonquins of Ontario on the potential creation of a lake plan. As part of the development of a lake plan, Council may consider the implementation of an Interim Control By-law to restrict any new development around the lakeshore until such time the lake plan is completed.

All other policies of Waterfront Area section of this Plan shall also apply within the Special Policy Area

It is recognized that the Algonquins of Ontario particularly the Shabot Obaadjiwan First Nation have a deep and ongoing interest and close relationship with the White Lake Crown Lands and Fish Culture Station.

Two Shabot Obaadjiwan Settlement Area Land Selections are located on the south shore of White Lake with a combined area of more than 840 acres (340 hectares). The land selection also includes White Lake Island.

The Algonquins of Ontario and the Shabot Obaadjiwan First Nation will work closely with the Ministry of Natural Resources and Forestry and the Township to continue to protect the integrity of the White Lake Fish Sanctuary and Fish Culture Station.

4.8.11 Waterfront Protection Policy - Site Plan Control

1. Area of Application

All lands within the Waterfront Area designation shall be designated as a Site Plan Control Area.

2. Application Requirements

When an application is received for the development or redevelopment of a lot or parcel of record or for the disposition of a shoreline road allowance within the Site Plan Control Area, the application shall be complete and may be accompanied by a site plan which shows:

A. The location of all existing or proposed buildings, structures, accessory buildings and sewage disposal systems with an indication of accurate dimensions and setback distances from lot lines and from an abutting watercourse or lake; and

The approximate location of all natural and artificial features on the subject land (e.g. roads, drainage ditches, wells, watercourses, banks, slopes, wetlands, wooded areas etc.) including the location of wells and septic tanks on adjacent properties.

3. Site Plan Control Measures

Site Plan Control shall/**may** apply to the following:

A. The siting of sewage disposal system components;

B. The siting of water supplies particularly drilled or dug wells;

C. Proposed site drainage;

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D. Access corridors to the waterfront;

E. House and/or building siting;

F. Requirements for the protection, conservation and/or revegetation of the shoreline riparian zone.

G. Siltation and erosion controls; and

H. Site grading and replacement of fill.

4. Natural Vegetation Buffer

When a Site Plan Control Agreement is required for development or redevelopment on lands which front on a lake or on a major tributary, a natural vegetation buffer of not less than 30 metres (98.4 feet) in depth along the shoreline or watercourse shall be identified on the site plan. The cutting or removal of trees, shrubs, leaf litter or ground cover will not generally be permitted within the natural vegetation buffer except for the removal of dead or diseased trees or noxious plants or where a landscaped corridor not greater than 9 metres (29.5 feet) in width is required for access between the dwelling and shoreline. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment with respect to any requirements for an impact assessment for natural heritage features (i.e. fish habitat).

5. Site Plan Control - Additional Information

Where deemed necessary, in accordance with the site plan control guidelines, Council, or its designate, may require additional site information, which may include:

A. A soils report which identifies site soil characteristics including soil type, depth, leaching characteristics, depth to water table, and mitigation measures for any soil deficiency related to a proposed use. The soils report may also address slope stability and erosion concerns based on the nature of the proposal and existing site conditions. This report should be verified by a soils analyst or consultant with demonstrated competence in soils analysis. This study may be sent to the Conservation Authority having jurisdiction for review and comment. A water quality impact study which shows the impact of the proposed use on water quality and how this impact can be effectively minimized.

B. A fisheries habitat assessment, satisfactory to the Department of Fisheries and Oceans (DFO), of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and

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A screening plan showing how the proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved or enhanced.

4.10 Natural Heritage Features and Areas

Natural heritage features and areas are those areas, which are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual **natural heritage features** and areas within a given area form a **natural heritage system**. It is intended that the particular features identified in Central Frontenac will be **conserved** for their natural heritage value. Known Natural Heritage Features are shown on the **Land Use Plan Schedule**.

4.10.1. Policies

A. Natural Heritage Features

Some Natural Heritage Features and Areas which have been designated in the Township are illustrated the **Land Use Plan Schedule** with an appropriate symbol to identify particular features.

Although occurrences of species at risk and habitat are not shown on the Land Use Plan Schedules, due to data sensitivity, species at risk and habitat **shall** be considered when screening planning applications and prior to application approval. There is potential that suitable/**significant** habitat persists in the Township and the list is subject to change as new information is gathered. The Township will contact the Ministry of Natural Resources and Forestry periodically to update known occurrences of species at risk in the Municipality in order to assist with accurate and effective screening of **development** applications.

B. Wetlands and Wildlife Habitat

It is a policy of Council to protect and manage the identified **wetlands** as ecosystems which are important as habitat for a variety of plant and animal species, for water quality, flood control and water storage and recharge areas and for their value for passive recreation. The only Provincially Significant Wetland in the Township is the Mud Lake Wetland.

Development and **site alteration** shall not be permitted in significant **wetlands** or **significant wildlife habitat**. Development and **site alteration** shall not be permitted on the **adjacent lands** of **significant** wetlands or **significant wildlife habitat**, unless it has been demonstrated through the preparation of an Environmental Impact Assessment as required in **Section 4.10.2.F. – Environmental Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on their **ecological functions**.

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For the purposes of this policy, **adjacent lands** to ***Provincially Significant Wetlands*** include a buffer area of 120 m (394 ft.) **Adjacent lands** may also be identified through reference to the *Natural Heritage Reference Manual Policies of the Provincial Policy Statement.* In addition to satisfying **Section 4.10.2.F. – Environmental Impact Assessment**, any new **development** or **site alteration** proposed on **adjacent lands** shall also satisfy the land use **policies** of the underlying land use designation as shown on **Land Use Plan Schedule**.

New development shall be set back a minimum of 30 metres [98.4 feet] from the boundary of any wetland that is not a ***Provincially Significant Wetland***.

Development in and within 120 metres [394 feet] of a wetland is regulated under the *Conservation Authorities Act* through the "Development, Interference with Wetlands and Alterations to Shoreline and Watercourses Regulations". Development activities, including construction and **site alteration**, will require a permit from the applicable Conservation Authority.

Council may designate locally **significant** wetlands where the basis of the information is adequate to determine the classification of the wetland. Locally **significant** wetlands may be established by amendment to the Plan or as part of a regular update to the Plan. Where a wetland has not been identified on the **Land Use Schedule** to this Plan, this may not preclude the requirement for an environmental impact assessment in the review of the planning application. The policy provisions for Provincially Significant Wetlands may also apply to locally significant wetlands.

C. **Fish Habitat**

It is a policy of Council to protect designated cold and warm water bodies and fish spawning areas for their fish habitat values. **Development** and **site alteration** may be permitted in **fish habitat** except in accordance with the implementing Zoning By-law and Provincial and Federal requirements.

Development and **site alteration** on **adjacent lands** to fish habitat may require an *Environmental Impact Assessment* pursuant to **Section 4.10.2.F** at the discretion of Council, to demonstrate that there will be no ***negative impacts*** on the fish habitat or on their **ecological functions**.

For the purposes of this policy, **adjacent lands** to **fish habitat** include a distance of 30 metres [98.2 feet] from the shoreline abutting the affected water bodies.

D. **Endangered and Threatened Species**

The *Endangered Species Act*, 2007 (ESA) is designed to protect the habitat of **endangered** or **threatened species** and to provide for the protection and recovery of Ontario's species at risk and their habitats. Species-specific habitat regulations are being gradually introduced to protect both **significant** and other habitat for listed species. In the interim (prior to the regulations) Council's strategy will be to use habitat descriptions, recovery strategies, species status reports or species occurrence information or Ministry of Natural Resources and Forestry records to identify habitat areas that warrant protection. The Township may seek technical

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assistance from the Ministry of Natural Resources and Forestry in scoping the requirements for an Impact Assessment (IA) required by this Plan which is designed to protect habitats of listed species under the ESA.

No **development** or **site alteration** shall be permitted within the **significant** habitat of **endangered** or **threatened species**. **Development** and **site alteration** shall not be permitted on the **adjacent lands** of endangered or threatened species, unless it has been demonstrated through the preparation of an impact assessment as required in **Section 4.10.1.F. – Environmental Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on the **ecological functions**.

For the purposes of this policy, **adjacent lands** to **endangered** or **threatened species** include a buffer zone of 120 metres (394 feet) or as otherwise determined by reference to the Natural Heritage Reference Manual Policies of the Provincial Policy Statement. In addition to satisfying **Section 4.10.1.F. – Environmental Impact Assessment**, any new **development** or **site alteration** proposed on **adjacent lands** shall also satisfy the land use policies of the underlying land use designation as shown on **Land Use Plan Schedule.** Council will strive to protect the habitat of **vulnerable** species and will require an Impact Assessment **[see Section 4.10.1.F.]** for **development** or **site alteration** on or within 120 metres (394 feet) of the habitat of such species. The Municipality will consult habitat mapping provided by the Ministry of Natural Resources and Forestry when reviewing development and/or site alteration applications.

E. Areas of Natural and Scientific Interest (ANSI)

Areas of natural and scientific interest are areas of land and water that contain natural landscapes or features that have been identified as having life science or earth science values related to the protection, scientific study or education.

It is a policy of Council to recognize the Harlowe Bog ANSI, Hungry Lake Barrens ANSI, Ardoch Bog ANSI, Black Lake Fen ANSI, the Piccadilly Swamp ANSI, and the Long Lake Blue Calcite ANSI as Provincially Significant ANSIs. These areas are intended to be recognized for their natural and scientific values. These ANSIs are identified on the Land Use Schedule.

Development and **site alteration** shall not be permitted within or on the **adjacent lands** of an area of natural and scientific interest, unless it has been demonstrated through the preparation of an Impact Assessment as required in **Section 4.10.2.F. - Environmental Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on the **ecological functions**.

For the purposes of this policy, **adjacent lands** to an area of natural and scientific interest include a buffer area of 120 metres (394 feet) or as otherwise determined by reference to the Natural Heritage Reference Manual Policies of the Provincial Policy Statement. In addition to satisfying **Section 4.10.2.F. – Environmental Impact Assessment**, any new **development** or **site alteration** proposed on **adjacent lands** shall also satisfy the land use policies of the underlying land use designation as shown on **Land Use Plan Schedules.**

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F. Environmental Impact Assessment

Council will require an impact assessment for **development** and **site alteration** proposed in designated Natural Heritage Features and **adjacent lands**. An Environmental Impact Assessment (EIA) will be prepared to support planning applications such as Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, Consent etc., and prior to the approval of the proposed **development** or **site alteration**. Where the impact of the **development** and/or **site alteration** cannot be mitigated, it will not be permitted (e.g. 'no development option').

An Environmental Impact Assessment (EIA) is intended to provide for an assessment of the potential impact of a proposed **development** or **site alteration** on a particular natural heritage feature and shall be used to determine whether the proposed **development**, **redevelopment** or **site alteration** should or should not be permitted. The EIA will be undertaken by the proponent of **development** and/or **site alteration**.

The components of the EIA shall be tailored to the scale of development and may range from a simplified assessment (scoped assessment) to a full site assessment. (For example, a single detached dwelling may only require a scoped assessment while a subdivision, multiple unit residential complex, major commercial or industrial development, golf course etc. will require a full site assessment). Council may consult with the Conservation Authority having jurisdiction and the Ministry of Natural Resources and Forestry in determining information requirements and the type and content of an EIA. The following is intended to provide a guideline on the potential scope of an EIA:

(i) A description of the study area and landscape context;

(ii) Description of the **development** proposal;

(iii) Identification of those features and functions likely to be affected by the development proposal;

(iv) Assessment of the potential impacts of the proposed development on key features and functions;

(v) Identification of mitigation requirements and monitoring requirements, quantification of residual impacts (those that cannot be mitigated) if any; and

(vi) Review and decision.

Council may consult with a public authority to assist with the technical review and findings of an EIA. Council may also engage such professionals as are required for the purpose of reviewing the Environmental Impact Assessment report.

G. Implementation Measures

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Council may use zoning, site plan control and the provisions of the *Municipal Act* (***site alteration*** controls) as measures to implement recommendations or results of an Environmental Impact Assessment or to govern the spatial relationship of buildings and structures to ***natural heritage features and areas***.

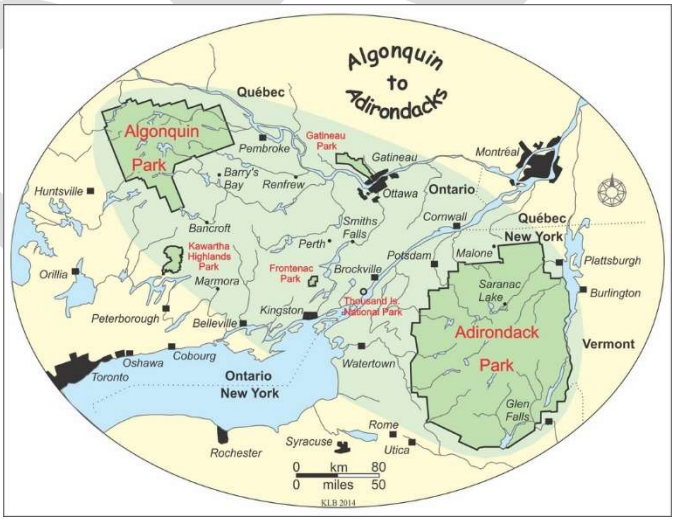
H. The Algonquin Park to Adirondacks Park Corridor

The Algonquin to Adirondacks Collaborative (A2A) promotes programs to connect and improve habitat within the region that extends from Algonquin Park to Adirondacks State Park in New York State. The region connects Canada's Boreal Forest with the Appalachian Mountains down to the State of Georgia as an important area for ecological connectivity.

At the core of the region are the two parks linked by the Frontenac Arch, the southerly extension of the Canadian Shield. To the west, and for a short distance to the east, there is limestone and, further to the east, the St. Lawrence lowlands; areas which support distinctive ecosystems which merge in the Thousand Islands to form a diverse ecosystem.

The region and especially the Frontenac Arch, provide north-south pathways that allow wildlife to maintain genetic diversity. Animals travel these pathways, birds follow them, and with global warming pushing climate zones northward, even plants are expanding along them. Central Frontenac Township is adjacent to and connects to the Frontenac Arch UNESCO Biosphere Reserve and the intent of this Plan and the land use decisions that are made is to support the ecological value of the connectivity, its ecosystem function and native biodiversity while respecting human land uses.

Council supports the efforts of the A2A Collaborative to promote and protect this important natural heritage corridor.



ALGONQUIN TO ADIRONDACKS AREA

Source: www.a2acollaborative.org

4.11 Crown Land

It is recognized that Council does not have the jurisdiction to enforce the provisions of this Plan as it relates to Crown land since Crown lands fall under the purview and responsibility of the Provincial Government. However, it is expected that Council and Provincial Ministries will work cooperatively in achieving the objectives and spirit of this plan particularly with respect to the review of development applications and in the impacts on municipal **infrastructure**.

It is expected that Crown lands proposed to be released for private or First Nations Communities development not be released by the Crown without prior consultation with Council and that the redesignation of such lands, where required, be in conformity with the Official Plan. ~~Generally, the release of Crown land for non-resources related **development** is not encouraged except where there are no alternative private lands available for such development or where the lands are required to achieve the economic policies of this Plan~~. It is also the intent of Council to minimize or avoid land use conflicts in resource development since inter-agency cooperation is essential to maximizing the potential of natural resources within the Township.

Council is cognizant of the many resource attributes on Crown land within the Township and wishes to ensure a balanced approach to resource management to ensure that resource development is optimized for the economic health of the area while taking into consideration the **ecological functions** of wildlife and **fish habitat**. The predominant resource use is forestry (logging). Outdoor recreation uses are also active uses such as hiking, hunting, canoeing and snowmobiling. Mining also has potential as does mineral aggregate extraction.

Council anticipates that consultation with respect to the use of Crown Lands will include First Nations Communities, in particular the Algonquins of Ontario.

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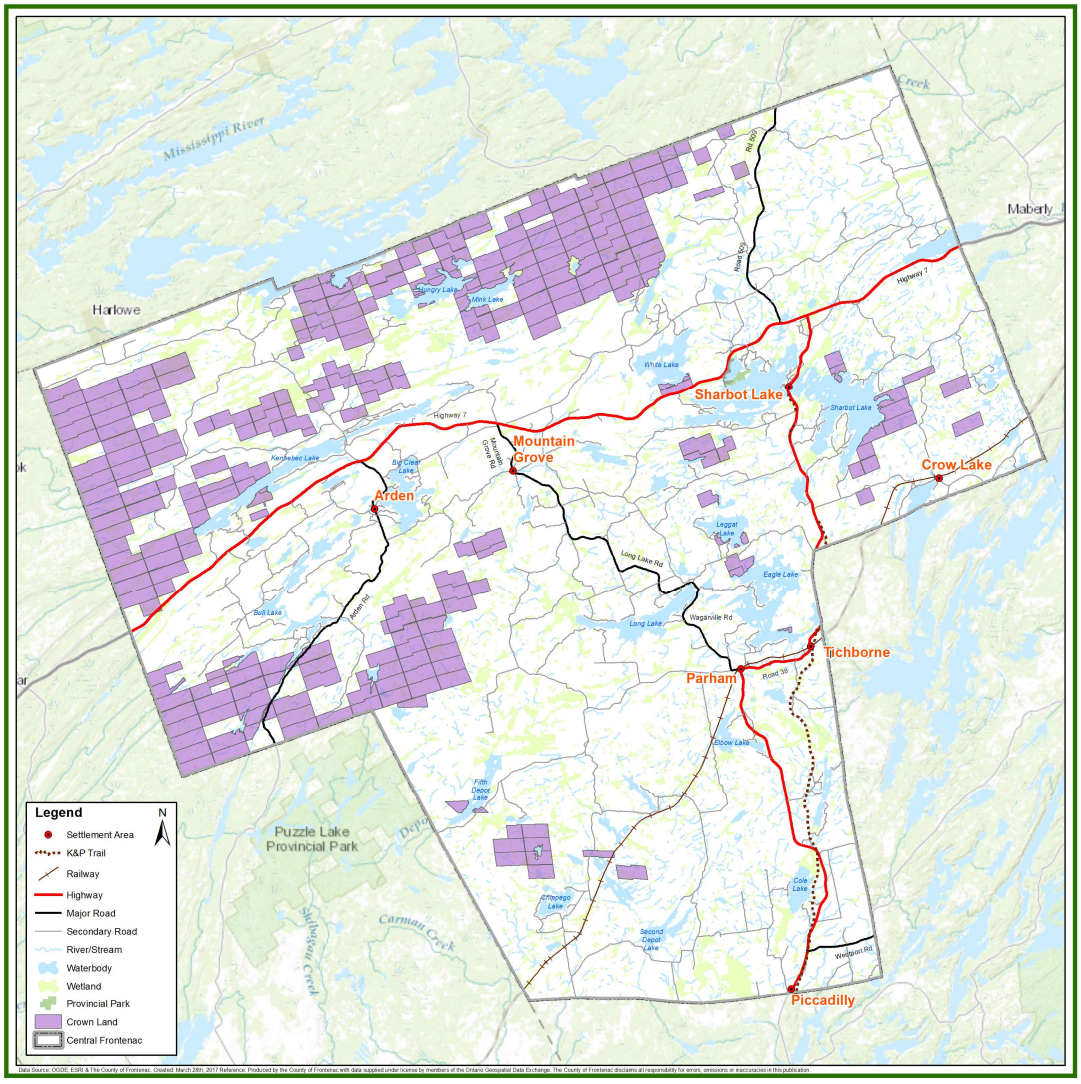

Crown land in Central Frontenac is shown in the purple.

4.12 Agriculture and Farming

It is a policy of Council to promote normal farm practices and to protect the right to farm.

Although there are no **prime agricultural areas** as defined in the 2014 Provincial Policy Statement (PPS) within Central Frontenac, the intent of the Plan is to permit **agricultural uses** in the Rural Area. This is intended to include agricultural-related uses.

A. Minimum Distance Separation Formulae

Where livestock operations are part of an agricultural use, the **Minimum Distance Separation (MDS)** Formulae I and II in effect at the time, will apply to farming operations and to all non-farm **development** as a means to reduce incompatibility concerns about odour. Non-farm

development in the vicinity of viable farming operations will be discouraged unless they are compatible and will not interfere with normal farming practices. Council supports nutrient management planning as a means to protect water quality.

B. Farm-Related Uses

The Township supports the development of uses that highlight the importance and value of farming. On this basis, uses such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing operations including maple syrup operations, small scale farm theme playgrounds for children and small-scale educational or training establishments that focus on farming instruction shall be permitted on farms in the Rural Area.

C. Farm Accommodation

Farm vacation homes and bed and breakfast establishments for the temporary accommodation of guests are permitted subject to the following:

i. The principal residence of the farm owner shall accommodate a maximum number of rooms which will be listed in the implementing Zoning By-law. The character of the farm house as a private residence is maintained;

ii. Accessory accommodations such as cabins or tiny house structures may be permitted, subject to a maximum building size and a maximum number of permitted accessory accommodation as set out in the implementing Zoning By-law;

iii. The operation of these uses shall not have an adverse effect on the enjoyment and privacy of neighbouring properties;

iv. Adequate parking facilities are available on the property for the proposed use; and

v. The use(s) can be serviced with appropriate water supply and an appropriate means of sewage disposal;

vi. Farm accommodation development may be subject to Site Plan Control.

4.13 Mineral Resource

The importance of mineral aggregates and minerals and their protection for long term use is recognized through the Mineral Resource designation. This designation has been applied on the basis of information on the extent of resources and existing operations supplied by the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Northern Development and Mines (MNDM).

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The location of Aggregates and other Mineral Resources are shown on the **Land Use Schedule**. In certain cases areas having mineral aggregate or mineral potential have been excluded from the Mineral Resources designation due to the existing landscape such as proximity to existing incompatible land uses or shorelines of water bodies.

In some areas designated Mineral Resources non-mineral development may take place, provided that such development will not compromise the broader objectives with respect to mineral resource protection and extraction.

It is Council's overall intent that important mineral resources will be protected for long term use.

4.13.1 Permitted Uses

Aggregate-related uses permitted include pits and quarries, as well as all associated facilities used in extraction, transport, processing or recycling of mineral aggregates, or the production of secondary related products. These uses include crushing facilities, stockpiles, washing and screening operations, asphalt plants, concrete plants, and aggregate transfer stations.

Mineral-related uses permitted include open pit and underground mining operations and associated facilities such as milling operations.

Wayside pits and quarries are also a permitted use although they are not required to be specifically designated.

Land uses such as agriculture, forestry, conservation and passive recreation uses may be permitted, provided that such uses shall not generally include buildings or activities that would preclude or hinder the establishment of new mineral mining or mineral aggregate operations, or access to mineral resources. Development proposals for other land uses may be permitted in accordance with the Rural policies of this Plan, subject to the agreement of the Ministry of Northern Development and Mines, the Ministry of Natural Resources and Forestry, and any other approvals by relevant approval authorities.

4.13.2 Policies

1. On lands designated Mineral Resource, any lands zoned and licensed for a pit or quarry must be located within the limits of the designated area. Any expansion proposal involving lands beyond the limits of the designation area will require an amendment to the Plan.

2. Existing licensed pits and quarries and other existing mineral resource operations will be identified in the Township Zoning By-law.

New operations, as well as expansions to existing operations will require an amendment to the Zoning By-law. In support of a Zoning Amendment for expansion the Township may require the applicant to undertake certain studies to address the social, economic, environmental and other potential impacts of the proposal.

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3. Lands within the Mineral Resource designation that are not zoned for mineral aggregate or mineral mining operations shall be placed in an appropriate zone. Circumstances that will determine proper zoning may include existing/historical land use patterns, an absence of existing mineral-oriented uses in the area, and a low likelihood of future extraction occurring in the vicinity of the subject lands. The Township may consult with the Ministry of Northern Development and Mines or the Ministry of Natural Resources and Forestry to determine the appropriate zoning.

4. All pit and quarry operations shall be licensed by MNRF under the *Aggregate Resources Act*.

5. Access to mineral aggregate or mineral mining operations shall be encouraged to be located on Highway 7 or on Township Arterial Roads as defined in Section 5.3.2 of this Plan, wherever possible. Where access is to be obtained from other Township roads, it must be of adequate standard of construction to support the anticipated truck traffic as determined by the Township Public Works Department.

6. In considering an Amendment to the Plan to change the land use designation from Mineral Resource to another designation, the Township shall be satisfied that a mineral resource use would not be feasible due to qualitative, quantitative, or other constraints, and may consult with MNDM and MNRF to determine the legitimacy of such amendment.

Alternatively, it must be demonstrated that the propose use for which the amendment is proposed is required in the long term public interest and issues related to public health and safety, as well as environmental impact, can be addressed. Additionally, the impact of such re-designation on the potential to use and expand adjacent mineral or mineral aggregate operations that will continue to be designated Mineral Resource shall be considered.

7. Mineral aggregate operations shall be required to undertake progressive rehabilitation to accommodate subsequent land uses.

8. Mineral mining operations, including associated processing facilities, shall undertake rehabilitation, including progressive rehabilitation where feasible, to accommodate subsequent land uses.

9. In evaluating an amendment to the Official Plan to change the designation of lands to Mineral Resources from another designation, the Township shall require the applicant to provide sufficient information to evaluate the application including the following:

a. The type and location of neighbouring land uses, having regard to land use compatibility;

b. The location and adequacy of proposed access routes, as well as any proposed improvements;

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c. Reports with respect to the site and proposed operational considerations, including hydrogeology, drainage, influence, potential impacts and mitigation measures.

10. It is a policy of this Plan that existing sensitive land uses such as residences, day care centres, and educational and health facilities shall be protected from the establishment of a new mineral aggregate or mining operation or expansions thereto, where such establishment or expansion would be incompatible for reasons of public health, public safety, and/or environmental impact.

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5

TRANSPORTATION

Township of Central Frontenac

5 Transportation

Transportation **infrastructure** is made up of Provincial Highway 7, Township roads, private lanes, resource access roads and snowmobile and hiking trails such as the K&P Trail and the Trans Canada Trail, while transportation and infrastructure corridors consist of the hydroelectric power transmission lines.

The importance of the road network in maintaining and improving the economy in Central Frontenac cannot be underestimated. The Township is dependent on the road system for the movement of goods and services, as well as for access to health and social services and for tourism use.

This Plan requires that accessible, cost-efficient and effective **infrastructure** be provided commensurate with the planned growth and development within the Township.

Expansions and upgrades shall also consider the effects of climate change on the sizing of infrastructure.

Infrastructure shall be constructed and maintained in compliance with the appropriate and applicable environmental standards/approvals and shall minimize, manage or avoid adverse effects to humans or the natural environment.

5.1 Provincial Highways

5.1.1 Background

Highway 7, as shown on the **Land Use Schedule**, is classified as a special controlled access highway (Class IV Major Highway) designed to carry high volumes of through traffic.

Highway 7 is the only Provincial Highway in Frontenac. The connection to Road 38 at Sharbot Lake is an important local and regional north-south route.

The section of Highway 7 through Central Frontenac runs through one of the most southerly portions of the Canadian Shield. Granite outcrops, lakes, forest and wetlands make the area attractive for full time residents, tourists, and seasonal residents.

5.1.2 Policies

A. The Ministry of Transportation (MTO) has long term plans to widen most of Highway 7 from two to four lanes between Peterborough and Carleton Place. The Township of Central Frontenac will work with MTO to ensure that changes to Highway 7 through the municipality will involve engagement with community members, Highway 7 property owners, and local businesses.

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B. In addition to all the applicable municipal requirements, all proposed **development** located in the vicinity of Highway 7 may be subject to the limitations under the jurisdiction of the Ministry of Transportation (MTO).

5.2 Frontenac Regional Road System

5.2.1 Background

The Frontenac County Official Plan has identified a regional road system with the goal of recognizing a County-wide road network to support the long-term viability of the system and to ensure access throughout the Frontenacs and connections to the surrounding region.

These roads are recognized as having regional importance. This regional road system is largely comprised of former Provincial Highways and County Roads that were downloaded to each of the four Townships during municipal amalgamation and restructuring that took place in 1998.

Parts of the designated regional road system in Central Frontenac are both former Provincial Highways:

- Road 38 which runs north-south from Highway 7 at Sharbot Lake to Piccadilly (36 kilometres); and
- Road 509 that runs north-south from the northern Township border near Clarendon Station to Highway 7 (11 kilometres).

These regional roads were once funded and maintained by the Province of Ontario. Since amalgamation the costs of maintaining these roads are entirely funded by Central Frontenac Township. The diversion of municipal funds to pay the maintenance costs has a direct impact on the ability of the Township to support the social, cultural, and economic aspects of Central Frontenac.

5.2.2 Policies

A. Central Frontenac supports a cross-jurisdictional collaborative approach with neighbouring North Frontenac Township and South Frontenac Township, as well as the County of Frontenac, to develop a regional road system that will encourage unity within the County, satisfy local municipal transportation demands, and encourage cost efficiencies with respect to maintenance costs and road reconstruction.

B. The Township will investigate and support all senior government programs that can provide financial investment in the regional road system.

5.3 Township Roads

5.3.1. Classification of Township Roads

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For the purposes of this Plan, the classification of roads within the Township shall include the following:

A. Arterial Roads, which are maintained year round: includes Road 38 and Long Lake Road, and Road 509;

B. Township Roads, which are maintained year round;

C. Township Roads, which are seasonally maintained;

D. Township Roads, which are unmaintained; and

E. Private Lanes.

5.3.2. Arterial Roads

An arterial road is considered to be an existing or proposed road. The right-of-way width may be increased at intersections with other roads or a Provincial highway. Arterial roads are designed to carry intra-urban and through movement of a large volume of traffic operating at speeds of 50-80 km/hr. In order to maintain the function and safe use of an arterial road, Council may restrict access to abutting parcels and control the spacing of driveways.

5.3.3. Year Round and Seasonally Maintained Township Roads

The primary function of Township roads will be to provide access to abutting properties. Standards for new road construction will include a minimum of 20 metres (66 feet) right-of-way with an appropriate design and layout, drainage and construction. Roads on lands under Plan of Subdivision may be assumed by the Township provided the standards for road construction have been satisfactorily met.

Council may post seasonally maintained roads with signs to indicate that maintenance is limited. Where such roads are classified and posted with a sign, Council will not be obliged to provide winter control services.

There is no obligation by Council to convert a seasonally maintained road to a year-round maintained road. Council may, however, undertake or request a cost-benefit analysis to determine the impact of such a conversion. Where Council is satisfied that potential **development** is justifiable, the status of the road may be changed to year-round. As a condition of the change of status, Council may require one or more applicants to share the cost of improving the road to an acceptable standard. The status of the road may be changed without an amendment to this Plan. In making a decision on the change of status Council may also consult with school boards to determine whether any additional costs to school busing are reasonable.

5.3.5. Road Maintenance and Improvements

Construction or maintenance of existing Township roads and bridges or crossing structures will

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continue to be based on a regular program of capital expenditures as set out from time-to-time by Council. The total length of surfaced roads may be increased with priority being given to roads with higher traffic volumes and/or the need for improvements to meet contemporary design and safety standards. Road improvements may be undertaken to improve the efficiency, function and safety of roads.

Road maintenance and improvements of Township roads including the addition of roads to the Township road system shall be deemed to be in conformity with section 24 of the *Planning Act.* This shall not limit the authority of the Township to designate truck routes, fire routes and the installation of parking lanes as may be required.

Council may undertake or require the installation of sidewalks to an acceptable standard as part of a Planning Act application approval. In general, sidewalks will be limited to **settlement areas**.

Council may require a traffic study to be undertaken by the proponent of development where it is anticipated that additional traffic will have an impact on the safety and efficiency of a road. Where the transportation system is not adequate to accommodate a proposed **development**, Council may require as a condition of approval:

A. Reasonable improvements to the system by the proponent of the **development**; or

B. Financial contributions towards undertaking the necessary improvements; or

C. The dedication of a right-of-way for future roads or road widenings of existing roads.

5.4 Private Lanes

Limited service residential development (i.e., where little or no Township services such as garbage collection, road maintenance, or snow ploughing) is generally located in the Waterfront Area of the Township on a body of water or a natural watercourse, where the primary means of access is from a private lane. The development of new “waterfront limited service residential lots” on private lanes shall be considered for approval based on the Private Lane policies of this plan.

A. Seasonal vs. Permanent Residential Screening Policy

Prior to the review of an application for new lot development that would result in the infilling or minor extension of an existing private lane, an assessment of permanent and seasonal residential land use should be completed for the entire lane. Where a majority of existing development on a private lane is determined to be permanent residential, or where the private lane is located in an area where conversion rates will likely result in a majority of permanent residential development in the future, no new lot development in the form of limited infilling or minor extensions shall be permitted unless:

(i) The private lane is constructed to the Private Lane Construction Standards set out in Appendix 3 to this Plan; or

(ii) The existing private lane is developed within a common element condominium pursuant to the Condominium Act, 1998, as amended, and connects directly to an existing public road.

B. Infilling

Where a majority of existing development on a private lane is seasonal residential, severances for new "infill" lots may be permitted along existing private lanes, provided that the condition of the lane abutting the new lots (severed and retained) are improved to the Private Lane Construction Standards set out in Appendix 3 to this Plan. In addition, the whole of the existing lane travelled to reach the new proposed lots (severed and retained) will be required to be improved to a minimum standard to allow accessibility to the new lots (severed and retained) by emergency service vehicles.

C. Private Lane Extensions

New lot development on "extensions" of existing private lanes may be permitted in accordance with the Category "A" or Category "B" policies for private lane extensions. The determination of whether the Category "A" or "B" policies apply to a given private lane extension shall be based upon an assessment of the overall future development potential of the private lane extension. The Category "A" private lane policies apply where an assessment of the development potential of the private lane concludes that minor extension of one (1), two (2) or three (3) new lots will complete the development potential of the private lane. The Category "B" private lane policies will apply where an assessment of the development potential of the private lane concludes that four (4) or more lots may be created from the private lane extension. Where a private lane has been assessed as having potential for extension of four (4) or more lots, the Category "A" policies will not apply.

D. Category "A" (Minor) Private Lane Extensions

(i) Severances for one (1) or two (2) new lots on an extension to an existing private lane that would complete the development potential of the lane may be permitted provided that the extension is designed and constructed in accordance with the Private Lane Construction Standards set out in Appendix "3" to this Plan. In addition, the whole of the existing lane travelled to reach the proposed new lots (severed and retained) will be required to be constructed to a standard that would allow accessibility to the new lots by emergency vehicles.

(ii) Severance for a private land extension resulting in the creation of three (3) new lots completing the development potential of the lane may be permitted provided that the private lane extension and the whole of the existing lane travelled to reach the new proposed lots (severed and retained) will be required to be improved to the Private Lane Construction Standards set out in Appendix "3" to this Plan.

(iii) The new lane may only be constructed to the point of access to the last lot on the lane rather than along the full lot frontage for the lot, as required by the implementing zoning by-law.

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(iv) Notwithstanding any provision of this Plan that restricts the maximum number of land severances per holding, up to three (3) new limited service residential lots may be permitted per private lane, provided that the creation of the proposed lots completes the development potential of the private lane.

E. Category “B” (Major) Private Lane Extensions

(i) Severances for one (1), two (2) or three (3) lots on an extension to an existing private lane that has the potential for the creation of four or more limited service residential lots.

a. Severances for one (1) or two (2) new lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots may be permitted provided that the extension is designed and constructed in accordance with the Private Lane Construction Standards set out in Appendix “3” to this Plan and that a 0.30 metre Township-owned reserve is established at the end of the new extension. Future lot development beyond the Township reserve may be permitted, subject to the original one (1) or two (2) lots being considered in calculating which policies would apply. In addition, the whole of the existing lane travelled to reach the proposed new lots (severed and retained) will be required to be constructed to a standard that would allow accessibility to the new lots by emergency vehicles.

b. Severance for a private land extension resulting in the creation of three (3) lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots may be permitted provided that the private lane extension and the whole of the existing lane travelled to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan.

(ii) Severances for four (4) or more lots on an extension to an existing private lane that has the potential for the creation of four (4) or more limited service residential lots

a. New development on extensions of private lanes having the potential for the creation of four (4) or more limited service residential lots may be created by a plan of subdivision or condominium, where the private lane shall be created as a common element condominium and managed by a condominium corporation.

b. The private lane extension for the proposed lots and the whole of the existing lane travelled on to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Appendix “3” to this Plan.

c. The owner of the existing private lane and all persons having an existing right-of-way (including unregistered rights of ways that have been legally obtained over time through actual usage) over the existing private lane will have to consent to the creation of the condominium. If this requirement cannot be fulfilled, then a major extension of an existing private lane cannot be granted.

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(iii) New Private Lanes

Lot development on new private lanes may be permitted by severance, or by a registered plan of condominium, provided that the new private lane intersects with an existing public road, and is designed and constructed in accordance with the Private Lane Construction Standards set out in Appendix “3” to this Plan and provided that the entire lane is governed by a condominium agreement.

(iv) Private Lane Condition of Severance or Condominium Approval

As a condition of severance or condominium approval for all private lanes the owner of the subject property may be required to enter into an agreement with the Township to construct the private lane to the Private Lane Construction Standards set out in Appendix “3” to this Plan or such other standards which are determined to be appropriate for emergency service delivery. The agreement shall be registered against the title to the lots and include provisions acknowledging:

(a) The Township does not maintain or repair the private lane.

(b) The Township does not provide municipal services normally associated with public roads.

(c) The owners are responsible for all costs necessary to maintain the private lane.

(d) The Township is not responsible for any loss or damage created by the owner’s failure to maintain the private lane.

(e) The owners agree to indemnify the Township for any loss or damage.

5.5 Transportation Corridors

It is the intent of this Plan that existing transportation corridors for roads be protected from land use activities which may interfere with the function and safe operation of these corridors including Highway 7, Road 38 and Road 509.

With respect to corridor management, the Township will require the proponent of **development** to secure necessary approvals from the Ministry of Transportation or the Township whichever is applicable for any improvements, access, traffic signs or signals, utility cuts, drainage and the undertaking of a traffic impact study where required**,** etc. The proponent of development will be expected to fund the cost of such improvements, alterations or reinstatement whether directly or by agreement with the public road authority affected.

It is the intent of this plan that the network of the Trans Ontario Provincial Trails (TOPS) snowmobile system be protected. It is recognized that the TOPS may change from time-to-time. However, an amendment to this Plan is not required for changes to this routing so long as the intent of this policy is upheld. Any trail crossings of Provincial highways will, however, require the prior approval of the Ministry of Transportation.

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5.6 Infrastructure Corridors

It is the intent of this Plan that existing **infrastructure** corridors for utilities be protected from land use activities, which may interfere with the function and safe operation of these corridors. Any improvements or alterations to an **infrastructure** corridor are subject to approval by the public authority having jurisdiction or by a private authority (e.g., North Frontenac Telephone Company, Bell Canada) and any costs will normally be borne by the proponent of the **development**.

5.7 Active Transportation

The Frontenac Regional Active Transportation Plan was developed by the County of Frontenac in 2019 with support and advice from member municipalities. The following policies support the priorities laid out in the ATP, and will provide safety and security for walking, cycling and other forms of active transportation in Central Frontenac

5.7.1 Settlement Area Growth

As new development expands within settlement areas, sidewalks, multi-use pathways or other forms of Active Transportation infrastructure should be considered as part of the development. Sidewalks are required on both sides of arterial roads in settlement areas.

5.7.2 Road Construction

All road construction projects must consider paved shoulders, sidewalks or alternative active transportation infrastructure. Improvements to adjacent trails as part of road construction projects may be considered as an appropriate active transportation plan., with a priority set for the spine network. The town

5.7.3 Primary Trails

Primary trails form the basis for a county-wide trail system. They act as the systems' "spine" and are long-distance off-road infrastructure that should be accessible to all users, including those using mobility devices. Portions of the K&P Trail and the Tay-Havelock Trail (also known as the Central Frontenac Trailway) are located in the township and are identified as primary trails.

These trails have been converted from former railway corridors travelling through the township and are active uses are shared on these trails with motorized off-road uses such as ATV, Side-by-Side and Snowmobiles. These trails should be a minimum 3.0 metres wide and the infrastructure should be maintained to support active uses. Trail development standards are available in Regional Active Transportation Plan.

5.7.4 Spine Network

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The Regional Active Transportation Plan establishes a spine network to connect to communities throughout Frontenac County. Consideration was also given to key destinations such as provincial parks, regional trails and communities outside of the county. In addition to township roads located within the Township of Central Frontenac, the spine network also utilizes existing trails, including the K&P Trail and the Tay-Havelock Trail, as they provide a low stress route for pedestrians and cyclists. The spine network designation establishes the commitment to continued investment and improvement of existing routes and prioritization of new infrastructure where there currently is none. Figure (x) demonstrates the County wide spine network and table outlines the spine network locations in Central Frontenac.

Central Frontenac	Tichborne – Mountain Grove	Road 38	On Road	21 km
	Arden – Myers Cave	Henderson Road, Harlowe Road, Myers Cave Road	On Road	32 km
	Tay-Havelock / Trans Canada Trail	Lennox and Addington County to Lanark County	Off Road	45 km
	K&P Trail	South Frontenac to North Frontenac	Off Road	40 km

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6

THE TOOLS OF IMPLEMENTATION

Township of Central Frontenac

6 The Tools of Implementation

6.1 Introduction

There are many 'tools' at the disposal of a Planning Authority in implementing an Official Plan. This Section of the Plan lists those tools required to implement this Plan. Reference is made to a number of different Provincial statutes and/or Ontario Regulations. The list does not include all of the enabling authority of all legislation, particularly, those *Acts* and Regulations which are administered by the Federal or Provincial Government but the list is intended to be reasonably comprehensive.

Over time, amendments are made to legislation, which may change the numbering of sections of various *Acts* or *Regulations*. These changes should not affect the integrity of the following list nor limit the authority of the Municipality to exercise certain controls, unless the legislation is repealed. The *Acts* etc. are listed alphabetically for convenience.

Procedures associated with the Tools of Implementation are included in Appendix 2 for the information and assistance to the reader and do not form part of this Plan. These sections are cross-referenced to assist the reader.

6.2 Building Code Act (See also Appendix 2)

6.2.1. Property Standards

Council may adopt a Property Standards By-law as provided for under the *Act* with the objective of maintaining buildings, structures and properties in the Municipality in a good state of repair.

The By-Law may be reviewed from time-to-time with respect to the standards for maintenance of buildings and without limiting the foregoing, shall include consideration for:

A. The maintenance of yards and accessory buildings;

B. The maintenance of residential and non-residential buildings and structures;

C. Occupancy standards;

D. Notices and orders; and

E. Administration and enforcement measures.

6.3 Condominium Act (See Appendix 2) **(see also Section 3.15.1. – Plans of Subdivisions and Condominiums)**

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6.4 Environmental Assessment Act (See Appendix 2)

6.5 Environmental Protection Act (See Appendix 2)

6.6 Gasoline Handling Act and Code (See Appendix 2)

6.7 Municipal Act (See also Appendix 2)

6.8 Ontario Heritage Act (See also Appendix 2)

6.8.1. Requirement for Archeological Assessment

To implement the requirements of **Section 3.4 - Built Heritage Resources, Cultural Heritage Landscapes and Archaeological Resources** of this Plan, the review of a planning application (e.g. Zoning Amendment, Subdivision or Consent) may require a review of the archaeological potential or ***archaeological resources*** of a site. Where Council determines the need for an Archaeological Assessment, it is Council's policy that the following condition would apply:

The proponent shall carry out an Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant ***archaeological resources*** found. No grading or other soil disturbances shall take place on the property prior to the approval authority and the Ministry of Culture confirming that all ***archaeological resources*** have met licensing and resource conservation requirements. The assessment shall be carried out by a licensed archaeologist under the *Ontario Heritage Act.*

6.9 Planning Act (See also Appendix 2)

The procedures for applications and other matters are dealt with in sequence by section. Council intends to consult with the public prior to making a decision on a planning application. This may be in addition to any required statutory public meeting. Applications for ***development*** for an Official Plan Amendment, a Zoning By-law Amendment, or Subdivision shall be reviewed for completeness. The Township/approval authority will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. These studies or information may include, but are not limited to:

- ☐ A servicing options report
- ☐ A hydrogeological study and terrain analysis or water assessment report including an assessment of the carrying capacity or appropriate density of ***development***
- ☐ A drainage and/or stormwater management report

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- ☐ An Environmental Impact Assessment for a natural heritage feature or area
- ☐ An Archaeological Assessment
- ☐ A heritage impact assessment
- ☐ A resource impact report for ***development*** in proximity to a waste management facility, industrial use or mineral/mineral aggregate use including an assessment of impacts within an influence area
- ☐ A traffic study
- ☐ A ***mine hazard*** rehabilitation assessment
- ☐ A contaminated site assessment report (environmental site audit/assessment)
- ☐ A noise and/or vibration study
- ☐ A source protection study including a groundwater impact and/or surface water impact study
- ☐ A MDS I or II calculation
- ☐ A minimum separation distance calculation for an industry, waste management facility, pit or quarry
- ☐ An off-site septage haulage report
- ☐ A geotechnical study
- ☐ A municipal servicing capacity report for water and/or sanitary sewage system
- ☐ A water supply assessment
- ☐ A market study
- ☐ A flood plain management/slope stability report
- ☐ A lake capacity assessment
- ☐ A shoreline capability assessment
- ☐ A boat capacity study
- ☐ A cost-benefit study and/or a justification report for a private lane

These studies may be in addition to other requirements set out in Ontario Regulations 543/06, 544/06, 545/06 or 547/06. Council/the Approval Authority may refuse to accept an application as complete in the absence of required studies in support of an Official Plan amendment, a Zoning By-law Amendment, or a Plan of Subdivision.

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6.9.1. Amendments to the Official Plan – Section 17 and 22

This Plan provides a long-range development framework to guide the future growth of Central Frontenac. It is the policy of Council that Amendments to the Plan shall only be required where major changes to the broad land use pattern and development policies become necessary as a result of changing circumstances. In determining whether or not an Amendment to the Plan is required, special regard shall be had to the general development policies of **Section 3**, and the definitions and policies of each land use category set out in this Plan. While it is not the intent of Council to limit the rights of any person under the *Planning Act* to apply for an Amendment, any proponent of ***development*** is encouraged to discuss the need for an Amendment with the Municipality prior to making an application. The Municipality encourages a spirit of pre-consultation in making this determination as well as in the review of any application for an Amendment filed with the Municipality prior to a public meeting or decision. Council may, by By-law require pre-consultation.

(See Appendix 2, Section 9.2 for Procedures)

6.9.2 Public Works – Section 24

Council shall not undertake any public work and no By-law shall be passed that does not conform to the Official Plan. Council may pass a By-law, which does not conform with the Official Plan where they have adopted an Amendment to this Plan and where the public work will comply with the Amendment, once the Amendment is approved.

6.9.3 Acquisition of Land – Section 25

Council may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

6.9.4. Review and Consistency with the Planning Act– Section 26

Council's intent is to review planning applications for conformity with this Plan and to ensure that applications are consistent with the Provincial Policy Statement, and conform with Provincial plans in effect or do not conflict with them. This Plan will be reviewed every five years in accordance with the requirements of the *Planning Act.*

6.9.5. Community Improvement – Section 28

Community improvement may be used to improve or upgrade ***infrastructure***, ***public service facilities*** and to maintain, restore or renew buildings and properties. Council may also use the sustainable community development features of the *Planning Act* such as the restoration or ***redevelopment*** of ***brownfield sites***, environmental site assessment, environmental remediation, ***development*** and ***redevelopment***, construction and reconstruction of lands and buildings for rehabilitation purpose or for improving energy efficiency, buildings, structures, works improvements or facilities.

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The intent of this Plan is to recognize the entire Municipality as a Community Improvement Area.

Within the Community Improvement Area, Council may undertake or provide for one or more projects through the preparation of a Community Improvement Project Area Plan. This may include energy efficiency, environmental, social or economic development and ***affordable*** housing as an eligible community improvement activity

Council will use a property standards by-law to provide for the upgrading, maintenance or restoration of buildings and properties. All developments participating in programs and activities contained within Community Improvement Plans shall conform to the policies of this Plan, applicable Community Design Plans, the Zoning By-law, Property Standards By-law and all other related Municipal policies and by-laws.

Council may make grants or loans towards the cost of rehabilitation of lands and buildings in conformity with the Community Improvement Plan. This may include grants and loans for energy efficient uses. The Municipality shall be satisfied that its participation in community improvement will be within the financial capabilities of the Municipality.

6.9.5.1 Brownfields

Brownfield sites are sites where the environmental condition of the property and the quality of the soil or groundwater, particularly on former industrial and waste-disposal sites, may have the potential for ***adverse effects*** to human health or the natural environment. ***Brownfield*** *sites* are defined in the Provincial Policy Statement as: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. The intent of this Plan is to identify and provide for the rehabilitation of brownfields, wherever feasible as a component of community improvement plans.

6.9.5.2 Other Incentive-Based Programs

In addition to programs dealing with lands, grants, loans and property assistance under Section 28 of the Planning Act, the Municipality may offer other incentive-based programs to augment and support community improvement such as:

- **A.** Reducing or cancelling fees for planning applications under the Planning Act;
- **B.** Utilizing the Brownfields Financial Incentive Program under the Municipal Act;
- **C.** Tax increment equivalent financing;
- **D.** Heritage grants under the Ontario Heritage Act;
- **E.** Heritage Property Tax Relief under the Municipal Act;

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F. Reducing or cancelling building permit fees under the Building Code Act;

G. Exempting all or part of a development charge under the Development Charges Act.

6.9.6 Zoning by-laws – Section 34

The Zoning By-law for Central Frontenac shall reflect the principles, policies and land use descriptions in this Plan. The By-law shall zone land and establish regulations to control the use of land and the character, location and use of buildings and structures in accordance with this Plan.

Council may use the powers provided by Section 34 to regulate the use of all land, buildings and structures within the Township of Central Frontenac as well as to govern other matters such as to prohibit land uses and ***development*** in sites containing a variety of natural heritage features, as well as sites containing an identified ***significant*** archeological feature. Council may establish any number of zones to classify and control land uses to implement this Plan.

6.9.7. Holding Zone – Section 36

In order to show a future zoning designation while retaining control of the timing of ***development***, a “holding” designation may be used, in the form of a symbol “H” as a suffix to the zone designation. As long as the “H" is retained, the use of the land shall be limited to the existing uses.

A. **Rationale for the Use of Holding by-laws**

Holding by-laws may be used where the principle of development has been established under the *Planning Act.* A Holding By-law may be used under the following circumstances:

(i) To hold ***development*** until water and sewage services are provided, or, studies have been undertaken to prove that servicing is possible on the site and the servicing has been included in the Municipal budget or provided for through a Subdivision Agreement or other acceptable means with a developer;

(ii) To hold land that is designated in the Official Plan, but, as yet is undeveloped until a proposal is submitted to develop the land for the use/uses intended in the Official Plan;

(iii) To hold land from ***development*** until other environmental or physical improvements to the site are made. For example, road improvements or infill on a site may be required prior to development of the site;

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(iv) To prevent or limit the use of land in order to achieve orderly phased ***development***;

(v) To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the *Planning Act*, have been complied with; and

(vi) Contaminated sites may be placed in a Holding Zone in the Municipality's Zoning By-law. Where a holding zone is used, the "H" symbol may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Municipality and in accordance with a site remediation plan and subject further, to the submission of a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition to Council.

B. **Conditions to be met for Removal of the Holding Symbol**

The Holding "H" may be removed by by-law when the above circumstances have been satisfied and the following conditions met:

(i) Approval of servicing the site /area is given or servicing of adequate standards is provided on the site;

(ii) A proposal is submitted for a site that conforms to the policies of the Official Plan;

(iii) A phasing plan is submitted;

(iv) Architectural or design drawings and studies, where applicable, are submitted showing the required features;

(v) Financial securities have been submitted (e.g. bond or letter of credit); and

(vi) With respect to contaminated sites, the "H" may be removed upon the receipt of a report approved by Council that the appropriate level of remediation, demonstrated by a Ministry of Environment, Conservation and Parks acknowledged Record of Site Condition has been achieved.

6.9.8 Interim Control By-laws – Section 38

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In utilizing this authority, it is Council's policy that an interim Control By-law shall be preceded by a By-law or Resolution, directing that a study be undertaken of planning policies in the affected area and setting out the terms of reference for the study.

When an Interim Control By-law expires, the prior zoning shall automatically apply, unless a new zoning by-law is passed.

6.9.9. Temporary Use By-laws – Section 39

In certain circumstances, it may be desirable to pass a Temporary Use By-law to implement the policies of this Plan or to implement measures for economic growth and prosperity (e.g. it may be desirable to locate certain uses in vacant commercial or institutional buildings or on lands zoned for institutional uses on a temporary basis despite the fact the uses are not permitted under the provisions of the Official Plan). It may also be beneficial to temporarily zone lands for industrial or commercial uses as an incubator or temporary location for a use, which does not conform to the Plan.

A Temporary Use By-law may also be passed to permit a garden suite.

Council may, therefore, in a By-law passed under Section 39 of the *Planning Act*, authorize a temporary use of existing structures for any purpose set out therein. The period of time for a temporary use may be for a period of up to ten years for a garden suite and up to three years in all other cases, both of which are renewable. Notice of a Temporary Use By-law shall be given in the same manner as that of a zoning by-law under Section 34 of the *Planning Act*.

As a condition of the passing of a Temporary Use By-law for a garden suite, Council may require the owner of the suite or any other persons to enter into an agreement with the Municipality under the *Municipal Act.*

Any use introduced under such a Temporary Use By-law does not acquire the status of a legal non-conforming use at the expiration of the by-law(s) and at that time must therefore cease.

It is not the intent of the Official Plan that Temporary Use By-laws be used to permit a new use while an Amendment to the Official Plan and/or Zoning By-law is being processed to permit the use on a permanent basis. However, once a temporary use is established and it becomes apparent to Council that the use should be permitted on a permanent basis, the use may continue under a Temporary Use By-law while any required amendments are passed.

6.9.10. Site Plan Control – Section 41

A. **Policies**

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Under the authority of Section 41 of the *Planning Act*, Council may by By-law designate specific areas or land uses within the Municipality which shall be known as Site Plan Control areas. For the purposes of this Plan, the following land use designations and land uses shall be subject to Site Plan Control:

(i) Any industrial, commercial or public service use;

(ii) Any multiple residential use consisting of six (6) or more dwelling units;

(iii) Any lands abutting a lake, water body or ***natural heritage feature and area***;

(iv) All land uses within the Hazard Lands;

(v) All conversions and ***redevelopment*** within any of the above categories;

(vi) Communication towers and facilities; and

(vii) ***Alternative energy systems***

The specific applications of Site Plan Control are set out in the various land use designations in this Plan and should be used as the primary reference.

Council may, by by-law, designate one or more areas as Site Plan Control Areas. Council may require the submission of plans and drawings for all ***development*** proposals within the Site Plan Control area.

Council may, as a condition of site plan approval, require the dedication of land for the widening of any street to the width set out in **Section 5.2.9** Policies of this Plan for roads as specified by the classification. The conveyance to the Township shall not exceed more than one-half of the deficiency of the width or 5 m (16.4 ft.) whichever is the lesser. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.

Council shall require each applicant submitting such a ***development*** proposal to enter into an agreement with the Municipality as a condition to the approval of the development proposal. Where a development proposal is of a minor nature, some or all of the points listed below may be waived in the agreement. The agreement may include conditions on the following facilities and matters:

(a) The construction or reconstruction of the access or egress onto all major roads or highways and any upgrading of the roads, that will be necessary as a result of the increased traffic caused by the development;

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(b) The number and location of all off-street loading areas and parking areas to be provided within each ***development***, and the surfacing of such areas and driveways;

(c) The number, location and construction of all walkways and walkway ramps and pedestrian access points to be provided in the development and how these will eventually be connected to adjacent areas;

(d) The location, number and power of any facilities for lighting, including floodlighting of the site or any buildings or structures (such as signs) thereon;

(e) All grading required to be done on the property and how storm, surface and wastewaters will be disposed of in order to prevent erosion including the period during construction of the project. Plans will show the location and connections for all services to municipal services including elevations and inverts;

(f) The techniques that are to be used on the site for landscaping of the property for the protection of adjoining lands, water bodies or natural heritage features, including the type of vegetation and techniques to be used, the existing (native) vegetation which is to be preserved, and any structures such as walls, fences or barriers that are to be used;

(g) The location, height, number and size of all residential units to be erected on the site and the method by which the ***development*** will be staged;

(h) The location, height, and type of all other buildings located in the proposal;

(i) Illustration of the contours and final elevations of the site on a contour interval of 1 metre (3.3 feet) or less;

(j) The location and type of any facilities and enclosures for the storage of recyclables, garbage and other waste materials;

(k) The location and extent of any easements or other covenants on the land to be conveyed to the Municipality or a local board for public utilities.

(l) The location and description of facilities designed for accessibility for persons with disabilities;

(m) The location and description of all easements to be conveyed to the Municipality and other public utilities; and

(n) A description of any sustainable design elements on any adjoining highway under the Township's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving

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materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

In the review of Site Plan Applications, Council may circulate to Municipal Departments and outside Agencies that are considered to have a vested interest for their comments prior to the approval of any site plan or Site Plan Agreement.

Agreements entered into under the authority of Section 41 of the *Planning Act* may be for the provision of any or all of the facilities, works or matters as provided for in the *Act* and the maintenance thereof and for the registration of such agreements against title to the land to which they apply.

Council may use the sustainability features of Section 41 (4) as a means to encourage ***sustainable development*** (i.e., sustainable design elements adjoining a public road such as trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, curb ramps, waste and recycling containers and bicycle parking facilities) and facilities to provide or enhance accessibility by persons with disabilities or other challenges.

6.9.11. Parkland Dedication or Cash-in-Lieu – Section 42

It is Council's policy to require the conveyance of parkland or the cash-in-lieu equivalent for residential and non-residential ***development*** as a means to implementing the policies for parks and open space areas of this Plan. The land or cash to be conveyed shall not exceed two per cent (2 %) of the value of the land to be developed for commercial or industrial uses or five per cent (5 %) for residential uses. Where Council requests cash-in-lieu, the value of the land shall be determined on the day before the day the building permit is issued.

6.9.12. Committee of Adjustment – Sections 44 and 45

A. **Status of Legal Non-Conforming Uses**

It is the intention of this Plan to ensure orderly control of and repair and replacement of non-conforming uses.

The owner/applicant in submitting an application for an expansion, enlargement, replacement or change of a non-conforming use shall demonstrate that all three of the following conditions are met in qualifying a use as a non-conforming use:

(i) That the use was legally established prior to the passing of any of the Zoning By-laws as set out in **Sections 3.5** of this Plan;

(ii) That the use has continued without interruption from the date of its establishment of the use, or in the case of an interruption, that there has been a reasonable attempt to continue the use during the period of discontinuance; and

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(iii) That the use is deemed to have existed and continued only if there was in fact, an actual user directly involved with the use.

B. **Enlargement, Expansion, Replacement or Change to a Non-Conforming Use**

It may be desirable to permit the extension, enlargement, replacement or change of a non--conforming use to a similar or more compatible use subject to the following criteria:

(i) The extension, enlargement, replacement or change of use does not aggravate the non-conforming situation for neighboring uses;

(ii) Such extension, enlargement, replacement or change of use shall not further reduce the requirements of the implementing Zoning By-law.

(iii) The proposed extension, enlargement, replacement or change will not create ***adverse effects*** undue noise, vibration, fumes, smoke, dust, odors, glare from lights nor environmental hazards;

(iv) Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections;

(v) Adequate provisions have been or will be made for off-street parking and loading facilities where they apply;

(vi) ***Infrastructure*** and public services such as storm drainage, roads, school bussing, fire prevention, emergency services, waste and recycling etc. are adequate or can be made adequate.

6.9.13. Plans of Subdivision and Condominium

Development by Plan of Subdivision may be used for large lot residential development. Consents shall otherwise be the method of land division [see **Section 3.15.2**].

It shall be the policy of Council to consider for endorsement, only those Plans of Subdivision which comply with the policies of this Plan and which, to the satisfaction of the Council, can be supplied with adequate and cost effective ***public service facilities***. It is recognized that Frontenac County Council is the approval authority for Plans of Subdivision and Condominiums.

A. **Consent Policies and Procedures**
Provisions relating to the granting of Consents are set out in Sections 51 and 53 of the *Planning Act*. Council shall be consistent with the Provincial

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Policy Statement in addition to the Consent Policy checklist set out in **Section 3.16.2.** of this Plan.

B. **Part-Lot Control**

Part-lot control may be used for existing Plans of Subdivision where it is necessary to re-align lot boundaries to clarify or grant title, exact specific servicing requirements as a condition of consent such as a road widening or to further control internal ***development*** on a lot.

6.9.14. Tariff of Fees – Section 69 (see Appendix 2)

6.9.15 . Development Charges Act, 1997

Statement of Intent

This Official Plan is to be considered as a Statement of Intent of Council to carry out or authorize to be carried out, various public works as described specifically or in general terms in this Plan and which may be the subject of a development charge.

6.9.16. Community Planning Permit System

The Township may explore the potential use of a Community Planning Permit System pursuant to the Planning Act. This Permit System is a land use planning tool that combines zoning, site plan control, and minor variance processes into one application and approval process.

Should Council consider developing a Community Planning Permit System, comprehensive policies shall be established by amendment to this Plan.

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Appendix 1

Definitions

Please see the ~~2014~~ **2020** Provincial Policy Statement for definitions. To be included in a future draft.

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Appendix 2

Procedures and Supplementary Information

1. Building Code Act

1.1 General

The Building Code Act provides the enabling authority for Councils to issue Building Permits through the appointment of a Chief Building Official and the adoption of a Building By-law. The Act also provides for the administration of property standards (transferred from the *Planning Act*). A Building Permit cannot be issued unless the proposed structure complies with 'applicable law' such as a Zoning By-law. The associated *Ontario Building Code* sets out the standards for design and construction of buildings. Building Permits are generally required for:

Construction of a new building or structure (garage or accessory building exceeding 10 m^2) including a mobile home or manufactured dwelling;

A. The repair, reconstruction or retrofitting of a building or other construction which is part of the structural support of a building;
B. Adding an extension;
C. Excavating or constructing a foundation;
D. Installing heating, plumbing, air conditioning or a fire place (solid fuel appliance);
E. Building or placing a temporary building;
F. The demolition of a building;
G. The change of use of a building may require a permit since different code standards may apply to the new use;

Important sections of the *Building Code Act* include:

Section 3 (2) - The Council shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the *Building Code Act*.

Section 7 - Enables Council to adopt a Building By-law specifying the classes of permits, application fees, requirements for applications etc.

Section 8 (1) - Provides that no person shall construct or demolish a building unless a permit has been issued.

Section 15.1 - 15.8 - Sets out the enabling authority for property standards including the appointment of a Property Standards Officer, appointment of a Property Standards Committee, issuing of orders to remedy buildings or conditions which do not meet the requirements set out in a Property Standards By-law.

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2. Condominium Act

2.1 General

Condominiums are a form of property ownership in which title to a unit, such as an individual apartment in an apartment building or a single detached dwelling in a private subdivision, is held by an individual together with a share of the rest of the property, which is common to all owners. Condominiums can involve a brand new **development**, or an existing rental project, which is converted to condominium ownership. They can apply to any type of residential building as well as commercial and industrial areas. Vacant land is not eligible.

Section 50 (2) - A condominium plan is like any Plan of Subdivision in that it is a way of dividing property and must be approved by the approval authority.

Section 50 (3) may be utilized to exempt approval for buildings which have already been constructed and which satisfy all of the applicable municipal policies and requirements.

2.2 Applications

Applications shall be made to Council utilizing the form prescribed and shall set out a description suitable for registration on title unless otherwise exempted by Council. Council may enter into an agreement with the applicant for the provision of services or such other matters as are governed by *Section 51* of the *Planning Act*. The approval of an application for a condominium is with the County of Frontenac

3. Development Charges Act, 1997

3.1 General

Subject to undertaking a study (*Section 10*), Council may adopt a Development Charges By-law (*Section 6*) for the purposes of imposing a development charge against specified land uses to pay for increased capital costs required because of the increased need for services arising from new development of the area to which the by-law applies.

Section 2 (2) - **Development** which may precipitate a development charge includes:

- The passing of a Zoning By-law or an amendment to a By-law under Section 34 of the *Planning Act;*
- The approval of a Minor Variance under *Section 45* of the *Planning Act*;
- A conveyance of land to which a by-law passed under *Section 50 (7)* of the *Planning Act* applies;
- The approval of a Plan of Subdivision under *Section 51* of the *Planning Act*;
- A Consent under *Section 53* of the *Planning Act*;
- The approval of a description under *Section 50* of the *Condominium Act*; or
- The issuing of a Building Permit under the *Building Code Act* in relation to a building or structure.

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4. Environmental Assessment Act

Prior to the construction of public works or undertakings, such as roads, sewage works, waste disposal facilities, water filtration plants, a Municipality is obliged to follow procedures under the *Environmental Assessment Act*. Some types of undertakings may fall into a class environmental assessment, which is a more streamlined process in reviewing the environmental impacts of the proposed work. Generally, the intent of this Plan is to ensure that the following procedures (generalized description) are followed prior to the construction of a project (undertaking):

Consult with affected parties:

- Involve affected parties early in the process and continuously throughout;
- Encourage the identification and resolution of issues before an EA is formally submitted; and
- Promote mutually acceptable, environmentally sound solutions through consultation.

Consider reasonable alternatives: planning must consider alternatives to the undertaking, which fulfill the purpose of the undertaking in functionally different ways and alternative methods of implementing a particular type of alternative. The 'do-nothing' alternative must also be considered.

Consider all aspects of the environment: the planning process must consider the effects on the natural or biophysical environment as well as effects on the social, economic and cultural conditions that influence the lives of humans of a community.

Systematically evaluate net environmental effects: evaluate alternatives in light of their advantages and disadvantages and the effects remaining aft.er mitigation or enhancement measures have been addressed.

Provide clear, complete documentation: the EA should strive to represent accurately the process that was followed in a clear and understandable way and to communicate the results of that process.

5. Environmental Protection Act

The *Environmental Protection Act* provides control mechanisms for the protection of the environment that has application to the general public as well as to the Council of a Municipality.

Section 46 - land used for a waste disposal site may not be used for another purpose within a period of twenty-five years from the date the land ceased to be used, without the approval of the Minister.

6. Gasoline Handling Act and Code

This legislation prescribes the requirements for the handling of gasoline and associated products and amongst other matters sets out in the associated *Gasoline Handling Code*, the prescribed setbacks of gasoline storage facilities and pump islands from

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streets and adjacent properties. The intent of this Plan is to ensure that the amending Zoning By-law reflects these standards as a measure of public safety and compatibility with adjacent land uses.

7. Municipal Act

This *Act* provides the enabling authority for a variety of types of by-laws and licensing matters, which serve to implement features of this Plan or to authorize other actions of Council as follows:

Section 31 - Establishing a highway

Section 34 - Closing a highway

Sections 48 - Naming a Private road

Section 99 - Regulating Signs

Section 123 - Regulating dangerous places e.g. cliffs, deep water

Section 124 - Regulating pits and quarries

Section 127 - Regulating refuse and debris (clean yards)

Section 129 - Regulating noise, odour, dust, vibration, outdoor illumination

Section 131 - Regulating wrecking yards

Section 135 - Regulating tree cutting or injury to trees

Section 142 - Site alteration control (e.g. dumping, filling, topsoil removal, grade alteration)

Section 151 to 154- Licensing adult entertainment establishments

Section 163 - Designation and registration of group homes

Section 164 - Licensing trailers and trailer camps

Section 165 - Licensing motor vehicle racing

Section 204 - Establishing a Business Improvement Area

8. Ontario Heritage Act

The Ontario Heritage Act is intended to assist municipalities with the designation and conservation of buildings, structures, districts, landscapes, ruins that may be considered to be cultural heritage or **archaeological resources**. The Municipality may use Part IV of the Act to designate individual buildings, structures or sites/landscapes or use Part V to designate a Heritage Conservation District.

Section 28 - Authorizes Council to establish a Municipal Heritage Committee of 5 or more people to advise Council on all matters related to *Part IV* of the *Act*.

Section 29 (2) - Authorizes a By-law to designate commencing with a Notice of Intention to Designate a building, structure or site.

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Section 31(2) - Authorizes a By-law to repeal a designating by-law.

Section 32 (2) - Owner's application to repeal designating by-law.

Section 33 (4) - Owner's application for permission to alter a designated property.

Section 34 (2) - Owner's application for permission to demolish or remove building or structure which forms part of a designated property.

9. The Planning Act

Amendments To The Official Plan – Sections 17 And 22

The following procedures shall be used in evaluating Official Plan applications.

9.1 General

9.2 Procedures

A. Pre consultation:

The Municipality may pre-consult or require the applicant to pre-consult with the Municipality prior to filing an application. The applicant will be advised as to what the procedures are for considering amendments and what information or studies may be required to support an application.

B. Conduct Preliminary Review of Proposed Amendment:

A complete application shall be filed with the Clerk of the Municipality using an application form prescribed by the Municipality and shall include a map or survey to identify the location of the property(ies) affected, existing land uses on the subject and surrounding lands, proposed land uses and servicing of the subject property. The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 543/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information or may be refused. Studies may be subject to a peer review at the cost of the applicant.

The application will be reviewed for completeness and the following additional criteria:

- To determine if the proposal will involve amendments to the text, schedule or both;
- To determine the policy sections or land use designations affected that apply;
- To assess the applicant's reasoning or justification for the proposal will be reviewed so that it is clearly understood;
- To determine if the proposal meets the general intent of the overall purpose, goals, objectives and general policies of the Plan;
- To determine if the application is consistent with the Provincial Policy Statement;
- To assess if the change is necessary to achieve the purpose, goals, objectives and policies of the Plan;

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- To determine if conditions have changed to warrant the proposed amendment (e.g., consult local studies, statistics etc., which may point to changes in economic conditions or other circumstances);
- To assess if it is likely that the amendment will have positive or negative effects for the future e.g. could approval set the precedent for similar requests;
- To assess appropriateness of location within the context of the Municipality;
- To assess compatibility of proposed use with surrounding land uses;
- To calculate/assess servicing in terms of capacity and adequacy of sewer, water, waste and utilities;
- To assess site suitability in terms of any physical constraints, on-site parking and loading availability etc.; and
- To determine the impacts on the natural environment.

Once the application has been deemed to be complete a notice will be circulated to the prescribed agencies. The *Planning Act* stipulates that the notice of a complete (or incomplete) application must be issued within 30 days from the date of the application and that notice to agencies is to be given within a further 15 days. An applicant may appeal a negative notice to the Ontario Municipal Board within 30 days aft.er the notice of the incomplete application.

C. Provincial Interests:

Pre-consultation may involve discussions with affected agencies and the Ministry of Municipal Affairs and Housing to assess whether the application is consistent with to the most current Provincial Policy Statement.

D. Public Consultation:

Notice of a public meeting shall be advertised within 20 days after the giving of notice in a newspaper having general circulation in the area affected by the amendment **or** a combination of a notices posted on the site of the proposed amendment together with a notice sent by mail to the applicant and all property owners within 120 m of the property(ies) affected by the application. Information must also be made available to the general public with respect to the application and any supporting information.

Following a public meeting Council may adopt the amendment as proposed or with modifications, or may refuse the application. Council shall consider any relevant public concerns with the proposed amendment and whether changes or refinements may be necessary in the public interest e.g. can the amendment be altered or improved to make it acceptable. Should Council refuse to adopt the amendment, they are required to advise the applicant and any other party who requested to be notified within 15 days of the date of the refusal, following which the applicant has 20 days to appeal Council's decision to the Local Planning Appeal Tribunal. Similarly, if Council does not adopt the amendment within 180 days from the date the application is filed, the applicant may also appeal the lack of adoption to the Local Planning Appeal Tribunal.

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Where the amendment is adopted, notice of adoption shall be given within 15 days and the amendment together with the record of submission shall be submitted to the approval authority.

The approval authority (County of Frontenac) has 180 days to render a decision on the amendment following which there is a 20-day period for appeal to the Local Planning Appeal Tribunal. Where there is no appeal, the decision is final. Only applicants who have participated in the planning process may appeal i.e. by attending and making an oral submission at the public meeting or by submitting written comments before the amendment is adopted.

The notice procedures as prescribed in Sections 17 and 22 of the *Planning Act*, and Ontario Regulations thereto, shall be adhered to.

However, Council may forego public notification and public meeting(s), in connection with Official Plan changes, if the changes relate to the following:

- A consolidation of the Official Plan, which does not affect the policies, and intent of the Plan;
- Altering the numbers and arrangement of provisions;
- Correcting grammar or typographical errors, changing the format, punctuation or language slightly to obtain a uniform format and mode of expression in the Plan.

9.3 Zoning By-laws – Section 34

A. General

When Council receives an application for a **development** project, which it considers at the time, is desirable, not premature, capable of being adequately serviced, and in conformity with the policies and designations of this Plan, Council may pass an implementing amending by-law to the Zoning By-Law. Council may, as a condition of development or **redevelopment**, require the owner of the land to enter into one or more agreements or requirements with the Municipality dealing with the provision, maintenance and use of certain facilities as set forth in the *Planning Act*. These agreements or requirements may pertain to one or more Sections of the *Planning Act*, such as:

- Holding Provisions - *36 (2)*;
- Temporary Use Agreement - *39 (1.2)*;
- Site Plan Control Agreement- *41(7,8)*;
- Subdivision Control Agreement - *51(26);*
- Consent Agreement - *53 (12).*

B. The Zoning Amendment Process

Applications for an amendment to the Zoning By-Law shall generally comply with the following process:

Step 1 - Filing an Application

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- Pre-consult with the Municipality on the procedures and requirements for filing an application;
- Obtain an application for a Zoning By-Law Amendment; and
- Complete the application in full. The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 545/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information. Studies may be subject to a peer review at the cost of the applicant.

Step 2 - **Application Review**

Once the application has been deemed to be complete a notice will be circulated to the prescribed agencies. The *Planning Act* stipulates that the notice of a complete (or incomplete) application must be issued within 30 days from the date of the application and that notice to agencies is to be given within a further 15 days. An applicant may appeal a negative notice to the Ontario Municipal Board within 30 days aft.er the notice of the incomplete application.

The application may be circulated for review and pre-consultation with departments within and outside of the Municipality. The Municipality has responsibility for review of the application for compliance with the Official Plan and the Provincial Policy Statement.

Step 3 - **Public Meeting**

- A public meeting will be held to consider the application;
- Notice of the meeting must be advertised to notify the public and agencies. Advertising may be by (i) newspaper, or (ii) by mail or by personal service and by posting a notice on the site;
- The notice must be given 20 days before the public meeting; and
- The public meeting is held by Council and is open to any member of the public or to an agency to make a presentation for or against the application. Oral submissions at the public meeting or a written submission prior to the adoption of the by-law are required if the applicant subsequently wishes tom appeal

Step 4 - Decision

- Council may pass (adopt) a Zoning By-law Amendment, may modify the amendment as proposed or may refuse to pass an amendment;
- If an amending by-law is passed, notice of the passing of the bylaw amendment must be advertised within 15 days of the date of passing; and
- If an amendment is refused or Council does not make a decision within 120 days of the receipt of the application, the applicant may appeal to the Local

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Planning Appeal Tribunal. Council must advise the applicant in writing within 15 days of a refusal.

Step 5 – Appeal

- Any resident who wishes to object to the Zoning By-Law amendment may appeal if they have participated in the process (attended public meeting and made an oral submission or file a written comment prior to the adoption of the by-law;
- An appeal must be made in writing with reasons for the appeal. The letter of appeal must be submitted to the Clerk within the 20-day appeal period set out in the Notice of Passing.
- The appeal must be accompanied by a prescribed appeal fee payable to the Minister of Finance;
- If no appeal is made within the appeal period, the By-Law is automatically approved; and
- In an appeal is received by the Clerk, the appeal must be sent to the Ontario Municipal Board within 15 days following the last day for appeal. The Local Planning Appeal Tribunal will decide whether the appeal is valid and subject to their decision, may hold a hearing in the Municipality to hear the appeal (or to dismiss the appeal). If they hold a hearing, the decision of the Local Planning Appeal Tribunal is final.

9.4 Holding Zone – Section 36

A. **Procedures for Notice**

By-laws to establish such Holding Zones shall be subject to the provisions of *Sections 34* and *36* of the *Planning Act*, including the notice for and holding of a public meeting. Prior to the removal of the Holding «h» symbol, Council shall give notice of its intention to pass the amending bylaw removing the holding symbol, in accordance with Section 35 of the *Planning Act*.

9.5 Interim Control By-laws – Section 38

In order to control **development** in an area where the Municipality is reviewing its long-term planning, an Interim Control By-Law may be passed, effective for up to one year and renewable for a further year so that the maximum period it is in effect is two years from its imposition. An Interim Control By-Law shall allow the Council to place a temporary freeze on land uses in order to allow a review of land use policies. Aft.er that, at least three years must elapse before another Interim Control By-Law may be passed covering any part of the same area.

9.6 Site Plan Control – Section 41

9.6.1 Procedures for Site Plan Control

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Applicants are encouraged to pre-consult with Township Planning Staff on potential applications. Applicants shall file a complete application using the Municipal application form together with the application fee. The application shall include a site plan drawn to scale, which includes the following information:

- Layout of all existing and proposed buildings and structures and setbacks from adjacent property lines, lot dimensions;
- Parking and loading spaces including location of handicapped parking, dimensions of parking spaces, driveways, entrances and manoeuvring aisles, location of fire routes;
- Day lighting triangles on corner lots;
- Relationship of the lot to surrounding streets and other physical features e.g. water bodies, rail lines, slopes and rock outcrops;
- Site services and easements (water, sewer, storm drainage, waste disposal, utilities), sewer inverts, catch basins;
- Spot elevations or contours and site grading and landscaping;
- Fencing and signs;
- Building coverage on the lot, parking space calculations, building height, percentage of landscape area;
- Key plan, scale bar, north arrow, civic address or legal description; and
- The applicant should consult with the Municipality on the number of copies of the application to be submitted.

The application will be circulated to affected departments and agencies (e.g., engineer, fire chief, Conservation Authority, Provincial Ministry etc.). Based on comments received, a Planning Report will be prepared and submitted to Council. Council may hold a public meeting to seek public input (although this is not required by the Planning Act). Final revisions may be required to be made to the site plan. Subject to Council approval, a draft. Site Plan Agreement is prepared (by the Municipal Solicitor) for review by Council and the applicant. The Site Plan Agreement is then adopted by By-law and registered on title against the property to which it applies. A financial guarantee is required to ensure that the works required by the agreement are completed to the satisfaction of the Municipality. A building permit will be issued (subject to payment of any building permit and development charges or other fees and compliance with the site plan).

Inspections are conducted for compliance to site plan. Financial securities released.

9.7 Parkland Dedication or Cash-in-Lieu – Section 42

The conveyance of parkland or cash-in-lieu of parkland is authorized under *Section 42* of the *Planning Act* for park or public **recreational** uses. The conveyance of land or cash-in-lieu may be required for residential severances or residential subdivisions at the rate of 5% or for commercial or industrial severances or subdivisions at the rate of 2% of the area or value of land, respectively, as set out in *Sections 42, 51, and 53* of the *Planning Act*. Where cash-in-

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lieu is accepted such monies shall be placed in a special account and spent only for the acquisition of land to be used for park or other **recreational** purposes, including the erection or repair of buildings and the acquisition or machinery for park or other **recreational** purposes.

9.8 Committee of Adjustment – Section 44 and 45

A. General

A Committee of Adjustment, duly appointed under *Section 44* of the *Planning Act*, has several powers as set out in *Section 45* of the *Act*:

- May grant a Minor Variance to the Zoning By-law;
- May grant a permission to expand a non-conforming use or to change that use to a similar or more compatible use;
- May interpret the Zoning By-law to permit a use that is defined in general terms; and
- May grant a variance to any by-law that Council specifies and that implements this Official Plan (e.g., Sign By-law)

B. Minor Variances

In considering an application for a Minor Variance, the Committee of Adjustment shall apply four tests, namely:

i. Is the variance minor?

ii. Will it maintain the general intent and purpose of the Zoning By-law?

iii. Will it maintain the general intent and purpose of this Official Plan?

iv. Is it desirable for the appropriate **development** or use of the land building or structure?

C. Procedures for Applications

1. Applicants are encouraged to consult with Municipal Planning Staff prior to submitting an application.
2. Applicant to file complete application with the Secretary-Treasurer of the Committee of Adjustment together with the required fee. The application, where required, shall be accompanied by a sketch or plan showing the specific dimensions of buildings or structures which affect or may be affected by the application (including buildings or structures on adjacent properties).
3. Committee shall hold a public meeting duly advertised at least 10 days prior and within 30 days aft.er the application is date stamped as a complete application. A preview of the application (planning report) along with a site visit is recommended.
4. Committee may make a decision or reserve a decision and impose conditions on a decision. Decision to be mailed within 10 days.

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5. Applicant or other person has 20 days from the date of the decision to file an appeal with the secretary-treasurer together with an appeal fee upon which the appeal is forwarded to the Local Planning Appeal Tribunal. The LPAT may dismiss the appeal or hold a hearing and render a decision.

9.9 Subdivisions, Consents and Part-Lot Control – Sections 44 and 45

A. Procedures for Processing a Plan of Subdivision

The processing of a Plan of Subdivision shall generally consist of the following steps:

i. Satisfactory completion of an application together with the submission of the required fee to the approval authority (County of Frontenac). The application shall include studies and other information as may be required under Section 6.10 of the Official Plan and Ontario Regulation 544/06. An application which is deemed to be incomplete will be deferred pending receipt of the required information. Studies may be subject to a peer review at the cost of the applicant.

ii. Submission of required supplementary studies or information, where required by the County.

iii. The approval authority will be responsible for evaluating the application in compliance with the relevant policies of this Plan, and the Provincial Policy Statement. This will also include, where required, the circulation of the application to the Ministry of Transportation with respect to an entrance permit onto Highway 7; and the Ministry of Culture or MHC with respect to an archaeological assessment. The County may also circulate to other affected agencies such as the Conservation Authority.

iv. Holding of a duly advertised public meeting (in accordance with the notice provisions set out in the *Planning Act*) to consider the proposed Plan of Subdivision. The meeting is held by the Frontenac County Planning Advisory Committee.

v. Draft. plan approval with conditions as may be required by the approval authority, Council, Ministries or other agencies.

vi. Preparation of a Subdivision Agreement to address the conditions of draft. approval. Agreement is prepared by the Municipal solicitor.

vii. Execution of the Subdivision Agreement by Council (by by-law) and registration of the agreement against the lands to which it applies.

viii. Clearance of concerns or requirements by agencies.

ix. Final approval of the Plan of Subdivision and registration.

x. **Development** of lands per the requirements of the Subdivision Agreement and approvals or clearances by the Municipality and other agencies upon satisfactory completion of the requirements.

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xi. Conveyance of land or covenants for easements for utilities, access control or drainage.

xii. Sale of lots and issuance of building permits.

xiii. Assumption of municipal water, sewer, roads, street lights etc., by the Municipality (subject to meeting warranty and other construction standards set out in the Subdivision Agreement).

B. **Consents**

Procedures for processing Consent applications may include but not be limited to:

i. Applicant files a complete application with the Clerk or designate.

ii. Council may also seek technical input from other selected agencies and municipal staff.

iii. The application will be reviewed for compliance to the policies of this Plan and the regulations of the implementing Zoning By-law (Planning Report).

iv. Council may have a public meeting to consider the application.

v. Council will issue a decision and may impose conditions of approval (provisional consent).

vi. Decision is advertised (circulated) as required by the *Planning Act*.

vii. Applicant shall enter into a Consent Agreement (Development Agreement) where required as a means to implement the conditions.

viii. Applicant has up to one year to fulfil provisions of conditional consent.

ix. Consent is granted upon fulfillment of conditions and submission of deed or instrument for stamping (certificate).

x. The compliance must occur within two years from the date the certificate is given or consent will lapse.

C. **Part-Lot Control**

Part-lot control may be used for existing Plans of Subdivision where it is necessary to realign lot boundaries to clarify or grant title, exact specific servicing requirements as a condition of consent such as a road widening or to further control internal **development** on a lot.

9.10 Tariff of Fees – Section 69

Council may by By-law, adopt a Tariff of Fees By-law for the purpose of levying fees for the costs associated with the processing of planning applications including:

- An amendment to the Official Plan;
- An amendment to the Zoning By-law;

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- A Minor Variance or permission related to a non-conforming use;
- Site Plan Control application and agreement;
- A Plan of Subdivision or Condominium application and agreement;
- A Consent Application and Consent Agreement;
- A Change of use.

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Appendix 3 Private Lane Construction Standards

Right-of-Way Width	20.0 m (66 ft.)
Width of Clearing	9.0 m (30 ft.)
Surface Width	6.0 (20 ft.)
Surface Material	Crushed Stone
Depth of Surface Material, (Gran. "A")	100 mm (4 in)
Depth of Base Material/Cover Over Bedrock (Gran. "B")	150 mm (6 in)
Depth of Base Material (Gran. "B")	300 mm (12 in)
Granular Shoulder, Including Rounding	1.0 m (3 ft.)
Crown Minimum	2%
Cross Culvert	400 mm (16 in) – 300 mm (12 in) Minimum Cover
Cross Material	Aluminized Corrugated Steel pipe/high density polyethylene (double wall)
Maximum Vertical Grade	12% (1.8) Minimum vertical curve length subject to design speed requirements
Horizontal Turning Radius	Minimum centerline radius 12.0 m (40.0 ft.) – Subject to design speed requirements
Ontario Building Code requirements	Safe passage of emergency vehicles Maximum change of gradient not more than 1 in 12.5 (8%) over a minimum distance of 15 m (50 ft.). Turnaround for dead-end portion of road more than 90.0 m (295 ft.) long.
Ditches, Minimum Depth from Road Centerline to Bottom of Ditch	0.5 m (1.5 ft.) or 0.15 m (6 in) below bottom of granular B whichever is lower
Overhead Clearance Height	5.0 m (16 ft.) minimum

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